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Environment & Climate News

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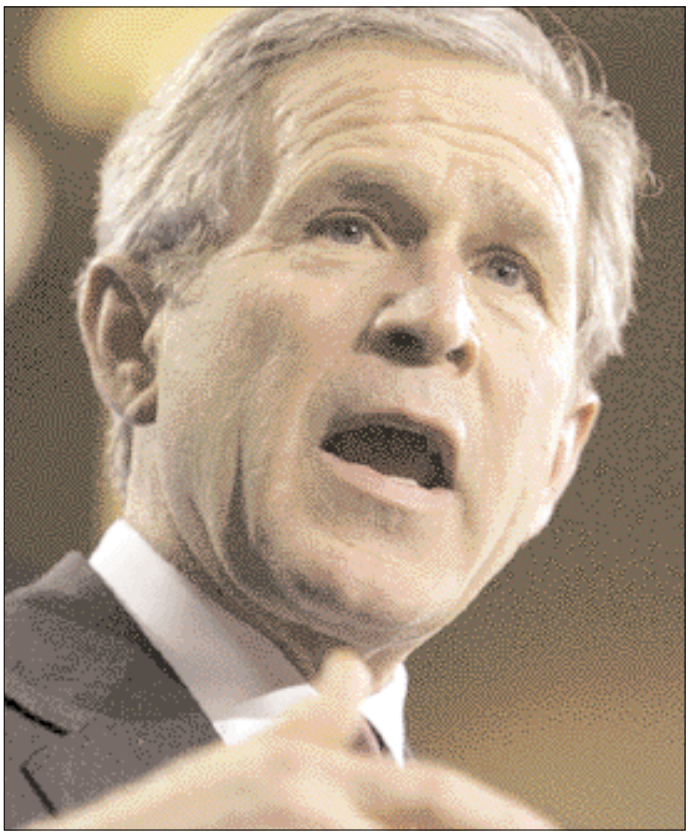
Bush Call for Hydrogen Funding Fuels Debate



KRT

President George W. Bush speaks about the use of hydrogen fuel cells as power sources for consumer products in Washington, DC on February 6, 2003.

Experts split on future of hydrogen technology

James M. Taylor

At an April 9 auto trade show in Hanover, Germany, General Motors and BMW announced a cooperative effort to develop refueling devices for liquid hydrogen vehicles. "Both GM and BMW are stretching to have hydrogen-based vehicles on the road by 2012," Larry Burns, GM's head of research and development, told the Reuters news service.

GM and BMW will work to establish global standards for the refueling devices. "When you're developing products and you're looking for ways to be cost-effective, sometimes you can get frustrated by all these subtle differences" in global standards, Burns explained.

The automakers' announcement followed closely on the heels of the Senate Energy Committee's April 8 vote to authorize funding for President George W. Bush's plan to spend $1.3 billion over the next five years to encourage research on hydrogen cars and infrastructure.

But lawmakers rejected a Democratic proposal to put 100,000 hydrogen-powered cars on the road by 2010 and 2.5 million by 2020.

Too Good to Be True?

"Hydrogen fuels represent one of the

See HYDROGEN p. 18

Faulty Statistics Plague IPCC Report

James M. Taylor

The former president of the International Association of Official Statistics (IAOS) has challenged the statistical basis for climate change fears, contending the global warming scenarios developed by the United Nations' International Panel on Climate Change are flawed due to the use of unrealistic data.

According to letters by former IAOS President Ian Castles, reported by the British news weekly the *Economist* and

See IPCC p. 8

Feds Tighten Fuel Economy Mandates

"Trading blood for oil," experts warn

James M. Taylor

Federal regulators on April 1 imposed controversial new restrictions on light trucks, vans, and SUVs, mandating a 1.5 mile per gallon increase in fuel economy. Under the new standards, auto manufacturers must achieve a fleet average of 22.2 miles per gallon for their

See CAFE p. 16

New Report Decries Eco Scare Tactics

Bonner R. Cohen

Former U.S. Surgeon General Dr. C. Everett Koop has urged lawmakers and regulators to ensure that policies aimed at protecting children are scientifically sound. In the "understandable quest to protect children, our society's priorities have been inverted," he warned.

"This inversion has caused us to attempt to eliminate purely hypothetical risks to children," he added, "while the real risks to children prevail, almost unattended." Koop's remarks heralded the release of a

See SCARES p. 13

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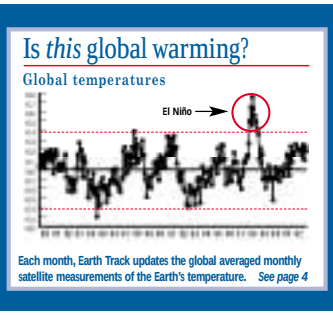

Each month, Earth Track updates the global averaged monthly satellite measurements of the Earth's temperature. See page 4

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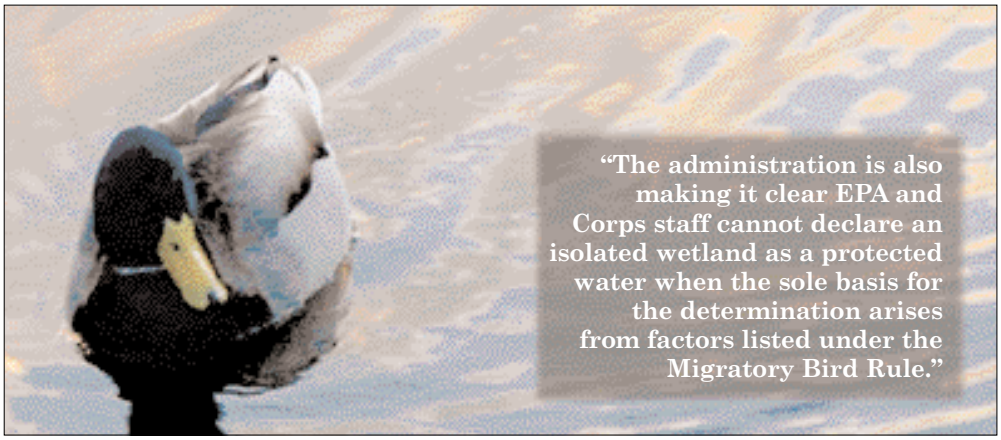
"The administration is also making it clear EPA and Corps staff cannot declare an isolated wetland as a protected water when the sole basis for the determination arises from factors listed under the Migratory Bird Rule."

EPA and Army Corps of Engineers Attempt to Define "Wetland"

Gary Baise and Bryan Brendle

The Bush administration appears poised to re-define what constitutes a "wetland" for purposes of the Clean Water Act (CWA). Doing so may expedite construction projects and agricultural activity in many parts of the country and bring some common sense to EPA's wetland permitting program.

On January 10, 2003, EPA and the U.S. Army Corps of Engineers announced two actions long anticipated by industry and agricultural stakeholders: the issuance of a guidance document clarifying the federal government's jurisdiction over wetlands; and an Advance Notice of Proposed Rule Making (ANPRM) that will elicit data to help EPA determine whether formal rulemaking will be necessary to further clarify the extent of the federal government's power over wetlands.

The agencies have taken these actions in response to the U.S. Supreme Court's decision nearly two years ago in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* (SWANCC), which limited federal authority under the CWA to regulate isolated or intermittent wetlands.

As a general matter, "the CWA protects wetlands, streams, and other waters from discharges of pollutants by requiring permits with appropriate environmental safeguards before a discharge may be authorized." In the SWANCC decision, the Supreme Court held the Corps had exceeded its CWA regulatory authority by using the Migratory Bird Rule to exercise "jurisdiction over isolated intrastate nonnavigable ponds." EPA claims the decision leaves unprotected one-fifth of the nation's hundred million acres of wetlands.

Addressing industry concerns, the Undersecretary for the Army and Acting Assistant Secretary of the Army for Civil Works stated the two-pronged strategy—the guidance and ANPRM—is "important because the Corps' ... regulatory officers and the regulated community now have guidance which more clearly describes the scope of jurisdiction for which permits are required."

According to Army officials, the ANPRM is also intended to solicit data from the regulated community that will further clarify the federal government's role in limiting construction activity and farming near wetlands. The government's action attempts to bolster the administration's policy of attaining "no new net loss of wetlands."

"[T]he administration appears to be ... expediting creation of a uniform standard with which industry may more easily comply."

Field Staff Policies Outlined

According to a statement from EPA, the new guidance document affirms the following policies:

- Field staff should continue to assert jurisdiction over traditional navigable waters (and adjacent wetlands) and, generally speaking, their tributary systems (and adjacent wetlands).
- Field staff should not assert CWA jurisdiction over isolated waters that are both intrastate and non-navigable, where the sole basis available for asserting CWA jurisdiction rests on any of the factors listed in the Migratory Bird Rule.
- Field staff should seek formal, project-specific headquarters approval prior to asserting jurisdiction over isolated non-navigable intrastate waters based on other types of interstate commerce links listed in current regulatory definitions of "waters of the U.S." This is where EPA exerts major influence in stopping construction and highway projects.

The government's action follows up on a December 26, 2002 regulatory guidance letter on compensatory mitigation and the launch of a new "National Wetlands Mitigation Action Plan listing 17 action items that federal agencies will undertake to improve the effectiveness of wetlands restoration."

Legislation recently enacted by Congress bolsters the administration's new policy. Under the Conservation Security Program adopted as part of the 2002 agriculture bill, farmers will receive payments for engaging in practices that enhance environmental quality, including wetlands mitigation and protection. Under the President's budget proposal for FY 2004, unveiled on February 3, 2003, approximately $2 billion will be earmarked for the CSP over the next 10 years.

Considerations for Industry

By requiring EPA field staff to acquire project approval from EPA headquarters when adopting different definitions of "waters of the U.S." for wetlands projects, the administration appears to be centralizing decision-making and expediting creation of a uniform standard with which industry may more easily comply. The administration is also making it clear EPA and Corps staff cannot declare an isolated wetland as a protected water when the sole basis for the determination arises from factors listed under the Migratory Bird Rule. Both efforts are good news for private businesses operating near protected wetlands.

Gary Baise and Bryan Brendel are attorneys with the Washington, DC-based law firm of Baise and Miller PC, specializing in legislative and regulatory affairs focusing on energy, environment, and agricultural issues.

Environment & Climate News
EDITORIAL OFFICES

The Heartland Institute
19 South LaSalle, Suite 903
Chicago, Illinois 60603
312/377-4000 voice • 312/377-5000 fax
email think@heartland.org

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Joseph L. Bast

PUBLISHER
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DESIGN AND PRODUCTION
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CONTRIBUTING AUTHORS
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Paul K. Driessen, James D. Johnston
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EPA Regulation Impedes Oil-spill Cleanups

Agence France Presse

Henry I. Miller

Several months after the oil tanker *Prestige* foundered and sank off Spain's Galician coast, spilling 20,000 tons of fuel oil, it is clear the catastrophe is one of the worst in history.

Oil continues to leak, contaminating hundreds of miles of the Spanish coast, and sludge from the spill has been detected in Portugal and France. The region's lucrative fishing industry, which had the largest fishing fleet in Europe and employed 120,000 people, has been decimated. One shudders to think about comparable damage to, say, the George's Bank fishing grounds off New England, the Chesapeake Bay, or the Los Angeles-San Diego coast.

Those who are trying to manage the Spanish spill now face another challenge: advice from a team of "experts" from the U.S. Environmental Protection Agency, the same geniuses whose Draconian regulations ensure we have no effective high-tech tools available for responding to these disasters.

Mired in the Nineteenth Century

Current technology, worthy only of the nineteenth century, includes methods such as deploying booms to contain the oil, spreading mats to absorb it, and slopping bacterial growth media onto the beaches in order to stimulate the growth of bacteria already there.

There used to be great expectations for modern biotechnology applied to "bioremediation," the biological cleanup of toxic wastes, including oil. Soon after the catastrophic 1989 Exxon Valdez spill, William Reilly, then head of EPA, recalled, "When I saw the full scale of the disaster in Prince William Sound in Alaska ... my first thought was: Where are the exotic new technologies, the products of genetic engineering, that can help us clean this up?"

The answer was simple, and in Reilly's own backyard: Biotechnology research and development were discouraged by a decade-old preliminary regulation from EPA under the Toxic Substances Control Act. That policy has proved a potent disincentive to the testing and use of the most sophisticated new genetic engineering techniques. In April 1997, EPA issued the regulation in final form, ensuring that for the foreseeable future biotech researchers in several industrial sectors, including bio-cleanup, would be intimidated and inhibited by regulatory barriers.

EPA regulation inhibits research with any "new" organism (defined as one that contains combinations of DNA from unrelated sources) that might, for example, literally eat up oil spills. For EPA, "newness" is synonymous with risk. Because gene-splicing techniques can be used easily to create new gene combinations with DNA from disparate sources, these techniques "have the greatest potential to pose risks to people or the environment," according to the agency's press release accompanying the rule.

That's like arguing that newer, more comfortable, and better constructed automobiles are actually more dangerous, because people are likely to drive them longer distances.

Risk Assessment, not Rocket Science

Scientific principles and common sense dictate the questions that are central to risk analysis for any new organism. For example, how hazardous is the organism you started with? Is it a harmless, ubiquitous organism found in garden soil, or one that causes illness in humans or animals? Does the genetic change merely make the organism able to degrade oil more efficiently, or does it have other effects, such as making it more resistant to antibiotics and therefore difficult to control?

EPA's decision to subject the new biotechnology to extraordinary regulatory requirements—a decision emulated around the world—is incompatible with long-standing, widely held scientific consensus, which holds that new biotechnology is merely an extension, or refinement, of earlier, cruder techniques of genetic modification.

The evidence against EPA's approach to new biotech products is overwhelming. The U.S. National Academy of Sciences has stated there is no evidence that novel hazards are produced by gene-splicing or the movement of genes between unrelated organisms.

The U.S. National Research Council went even further, saying that because the new technology makes it possible to introduce pieces of DNA that contain one or a few well-characterized genes—unlike older genetic techniques, which transfer or modify a variable number of genes haphazardly—the use of the newest biotechnology techniques actually *lowers* the already minimal risk associated with field testing.

All of this means that users of the new techniques can be more certain about the traits they introduce into the organisms, and that surprises down the road are less likely.

EPA's regulation requires costly case-by-case government review of virtually all field trials of gene-spliced microorganisms. "Naturally occurring" organisms are exempt from this process, however, even if they might foul waterways or pose other serious environmental or public health risks. Moreover, EPA continues to exempt from review all small-scale field trials of chemicals, including those similar to paraquat, DDT, and sarin.

"Those who are trying to manage the Spanish spill now face another challenge: advice from a team of 'experts' from the U.S. Environmental Protection Agency, the same geniuses whose Draconian regulations ensure we have no effective high-tech tools available for responding to these disasters."

Discriminating against New Tech

The bottom line is that organisms crafted with the newest, most sophisticated, and most precise genetic techniques are subject to discriminatory, extraordinary regulation. Research proposals for field trials must be reviewed case by case, and companies face uncertainty about ultimately obtaining commercial approvals, even if products should prove safe and effective.

Government policymakers seem oblivious to the power of regulatory roadblocks. The expense and uncertainty of R&D with gene-spliced organisms have virtually eliminated the new biotechnology from application to bioremediation. Companies know that experiments using the new biotechnology will meet a wall of red tape, politics, and vast expense.

Unscientific and regressive regulatory policies have already left a legacy of environmental damage and reliance on inferior methods for the cleanup of wastes. Too bad for the Spanish fishing industry ... and for the victims of future spills.

Henry I. Miller is a fellow at the Hoover Institution and author of "Policy Controversy in Biotechnology: An Insider's View." His email address is **miller@hoover.stanford.edu**.

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Lake Michigan Salmon Fishing Best in Decades

Wisconsin DNR creel surveys confirm angler reports

Dan Thomas

Lake Michigan creel surveys confirm what charter boat captains and sport anglers reported last summer: Trout and salmon fishing on the big pond was the best in nearly 20 years.

"The 2002 trout and salmon fishery was absolutely phenomenal—the catch rate for the overall salmon fishery was about 18 fish for every 100 hours of fishing, and that's the best catch rate over the entire 18 years of data," says John Kubisiak, Lake Michigan fisheries biologist for the Wisconsin Department of Natural Resources.

"We had a strong near-shore brown trout fishery up and down the lakeshore in April and early May. The wind blew for the last three weeks of May, and when it calmed down, the coho and chinook fishery just took off."

"The 2002 trout and salmon fishery was absolutely phenomenal—the catch rate for the overall salmon fishery was about 18 fish for every 100 hours of fishing, and that's the best catch rate over the entire 18 years of data."

John Kubisiak
Lake Michigan fisheries biologist
Wisconsin Department of Natural Resources

Kubisiak recently completed compiling and analyzing data from a year's worth of surveys of anglers fishing Lake Michigan. DNR creel clerks survey anglers at Lake Michigan boat landings, piers, and tributary streams to learn how many fish they caught, the size, and the time they devoted to their pursuit. Among his findings:

- Anglers caught 527,027 fish of all species of trout and salmon, up from 378,798 in 2001. That placed 2002's catch among the top four in Lake Michigan since 1986.
- The overall catch rate for trout and salmon, 17.9 fish, was the highest in more than 18 years; the next highest was 16, with catch rates of nine to 10 more common during slow years.
- Charter boat captains averaged 10.5 fish per trip, up from eight during 2001.
- Chinook and coho fishing fueled the frenzy: Anglers caught 275,454 chinook, the highest total since 1987, and reeled in 102,313 coho, up from 47,474 during 2001.
- The chinook harvests during 2001 (191,378) and 2002 (275,454) were the highest since 1987. The coho harvest of 102,313 was also among the better years.
- Anglers who fish from piers or the shores also benefitted from the abundant salmon, with the highest harvests since 1995 for pier and 1988 for shore anglers.

"At times, it was as if the fish were biting no matter what the anglers were doing," Kubisiak said. Typically, anglers target coho in late spring and early summer and chinook in July, after a good thermal structure sets up and the fish start to follow a pattern.

"In June 2002, the creel clerks would come in with reports of boats fishing everywhere from 40 to 250 feet of water, using every lure color and variety imaginable, from the surface to 80 feet down, at every port on the lake—and they were all catching chinook and coho," Kubisiak said. "The fish were scattered, but the anglers were still catching good numbers. Once the thermocline was established, it just got better."

Steelhead and lake trout fisheries were comparable to the last few years—the catches were average or a little below normal. Kubisiak attributed this to the good salmon fishing rather than a lack of steelhead or lake trout.

Nearshore catches increased in 2001 and 2002, encouraging after a decade of decline in those fisheries. The stream fishery was dominated by an extremely abundant chinook run; low water flows, which tend to make the chinook easier to target, aided anglers' success. The stream harvest of chinook was the highest of the 18-year period.

Dan Thomas is president of the Great Lakes Sports Fishing Council.

NUMBER OF FISH CAUGHT PER 100 HOURS FISHING

	Ramp	Pier	Shore	Stream
COHO	6.4	2.3	2.6	4.5
CHINOOK	15.9	4.5	10.5	30.6
RAINBOW TROUT	4.1	2.1	1.6	5.3
BROWN TROUT	4.3	5.1	8.9	2.5
LAKE TROUT	3.7	2.9	3.7	
Total Trout/Salmon	34.8	16.9	27.3	42.9

GLOBAL SATALITE TEMPERATURES

EARTH TRACK

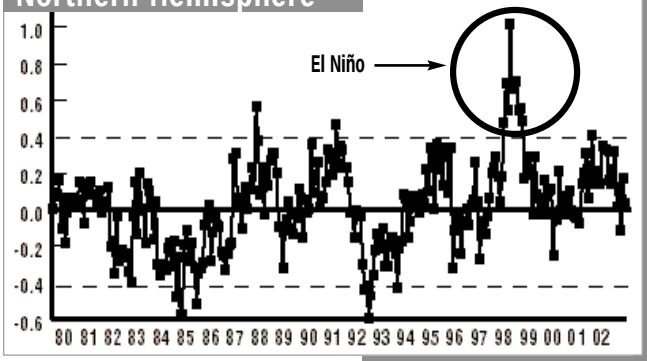
Each month, Earth Track updates the global averaged satellite measurements of the Earth's temperature. These numbers are important because they are real—not projections, forecasts, or guesses.

Global satellite measurements are made from a series of orbiting platforms that sense the average temperature in various atmospheric layers. Here, we present the lowest level, which climate models say should be warming. The satellite measurements are considered accurate to within 0.01°C.

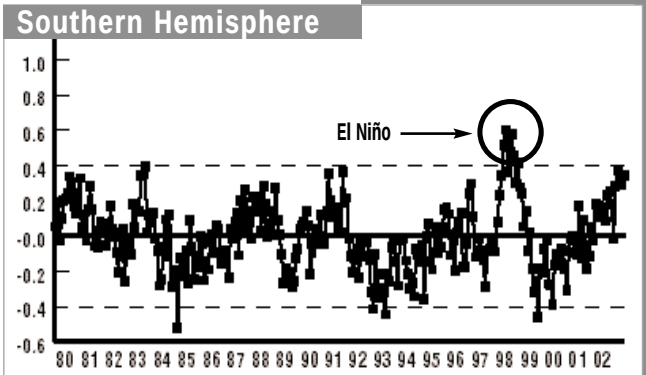
JANUARY 2003

The global average temperature for January, shown on page 1, was 0.36°C above normal. The Southern Hemisphere's temperature departure, shown below, was 0.27°C above normal; the Northern Hemisphere's, below right, was 0.45°C above normal.

Northern Hemisphere



Southern Hemisphere



The data used to create these graphs can be found on the Internet at http://vortex.nsstc.uah.edu/data/msu/t2lt/tltglhmam_5.0.

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Federal Appeals Court Won't Delay New Source Review

James M. Taylor

Nine Democratic state attorneys general have failed in their efforts to delay implementation of reforms to the Environmental Protection Agency's New Source Review (NSR) program.

On March 6, a two-judge panel of the U.S. Court of Appeals for the District of Columbia ruled implementation of the reforms could begin before a panel of the court decides a lawsuit, filed by the same attorneys general, challenging the legality of the reforms.

The two judges rejected the Democrats' "emergency motion to stay" the reforms.

The attorneys general alleged an emergency stay was warranted because the lawsuit would likely show EPA's NSR reforms violate federal law. The Democrats also argued implementation of the reforms prior to a full trial on the merits would cause irreparable harm.

While most states are not required to implement NSR reforms until 2005, 13 designated states, the District of Columbia, and several local air districts in California were required to implement the reforms by March 3, 2003. The 13 affected states are Hawaii, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Nevada, New Hampshire, New Jersey, New York, Pennsylvania, South Dakota, and Washington.

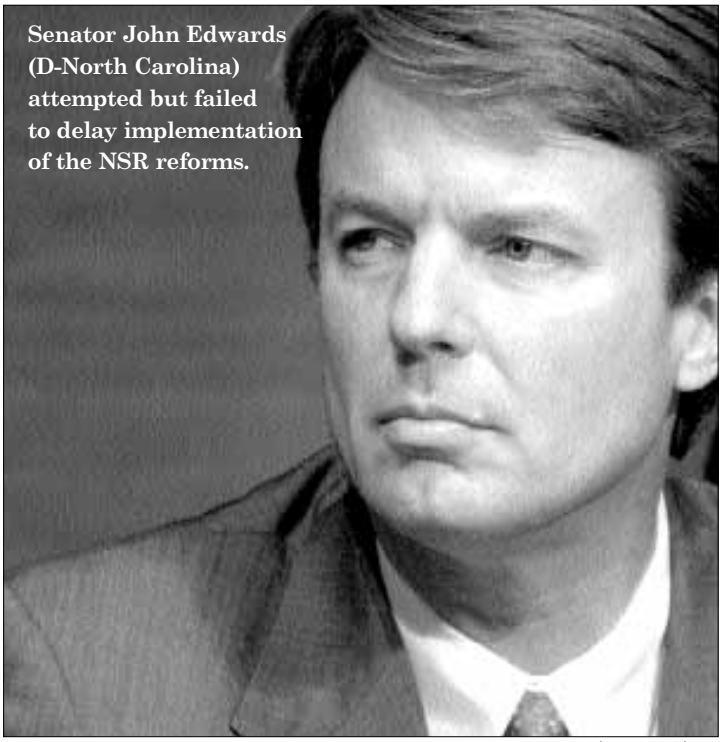
AGs Divided on Reform

In support of their lawsuit, the nine attorneys general argue the NSR reforms impermissibly allow for substantial increases in regulated pollutants. EPA counters the reforms give regulated facilities the flexibility to reduce pollutants using measures that will not hurt the plants' economic viability.

Attorneys general for eight states—Indiana, Kansas, Nebraska, North Dakota, South Carolina, South Dakota, Utah, and Virginia—filed briefs in support of EPA and its NSR reforms.

The court challenge follows unsuccessful efforts by Congressional Democrats to slow implementation of the reforms. Senator John Edwards (D-North Carolina) attempted but failed in January to attach to an appropriations bill a rider that would delay implementation of the NSR reforms until the National Academy of Sciences could consider and report on them.

Bill Becker, executive director of the States and Territorial Air Pollution Program Administrators and Association of Local Air Pollution Control Officials, asserted that even if the reforms are legal, state attorneys general have legitimate concerns over applicability, enforcement, record keeping, and new reporting standards.



Senator John Edwards (D-North Carolina) attempted but failed to delay implementation of the NSR reforms.

Picture Dest Photos

With the appellate court's rejection of the emergency motion, the NSR reforms will go forward, at least until a three-judge panel of the court hears arguments on the legality of the reforms.

James M. Taylor is managing editor of Environment & Climate News.

Join us on Saturday, May 17th to meet and learn from these leading public policy experts:

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Congress Revises Bush Energy Plan

Senate blocks ANWR, GOP considers back-door Kyoto

James M. Taylor

Furious debate and closed-door maneuvering is shaping the fate of President Bush's energy plan in Congress.

The President suffered a setback as the Senate narrowly rejected legislation to allow oil recovery in the Arctic National Wildlife Refuge (ANWR). On the global warming front, Republican Congressmen considered approving legislation that would implement the Kyoto Protocol in everything but name.

Senate Blocks ANWR

On March 19, the Senate voted 52-to-48 to block oil recovery in ANWR. Eight liberal Republicans—John McCain of Arizona, Gordon Smith of Oregon, Lincoln Chafee of Rhode Island, Susan Collins and Olympia Snowe of Maine, Mike DeWine of Ohio, Peter Fitzgerald of Illinois, and Norm Coleman of Minnesota—joined 43 Democrats and Independent Jim Jeffords in defeating oil recovery. Five

"The more I review ANWR, the more difficult it is for me to understand how it could have become such a big environmental issue ..."

Pete Domenici, R-New Mexico

moderate Democrats—John Breaux and Mary Landrieu of Louisiana, Daniel Akaka and Daniel Inouye of Hawaii, and Zell Miller of Georgia—joined 43 Republicans voting with the minority.

Democrats in the Senate had filibustered the issue last year when it appeared the President had a majority willing to support resource recovery. This time, a filibuster was inappropriate because resource recovery was being contemplated in a budget resolution immune to filibuster.

"I am pleased that as a bipartisan group we have stood firm in our resolve to protect the refuge," said Barbara Boxer (D-California), who had offered the budget amendment to block oil recovery.

"This is a national treasure," said John Kerry (D-Massachusetts), a consistent opponent of Arctic resource recovery. "We're not using a lot of land," countered Ted Stevens (R-Alaska).

Stevens, chair of the Appropriations Committee, considered it a personal affront that resource recovery in his home state was defeated in an Appropriations-related matter. "People who vote against this today are voting against me and I'll not forget it," said Stevens.

"The more I review ANWR, the more difficult it is for me to understand how it could have become such a big environmental issue—but it has," said Pete Domenici (R-New Mexico).

"It's bad enough that too many Americans and their representatives fight practically every attempt to expand oil and gas production on federal lands or improve our energy infrastructure," said Mark Whitenton, a vice president with the National Association of Manufacturers. "But to deny that exploration and extraction technologies have made tremendous advances in recent years and to insist we keep off-limits a tiny parcel of Alaska's coastal plain is simply unforgivable.

"Our manufacturing sector has now experienced 31 consecutive months of job loss," Whitenton added, "yet a mythology persists in some quarters on Capitol Hill that we can somehow overcome our economic difficulties without expanding domestic energy production. Either we increase domestic energy production with existing, environment-friendly technologies ... or we can insist on costly conservation mandates, deny our ability to safely produce conventional fuels, further drive energy prices upward, and hinder future economic growth and prosperity."

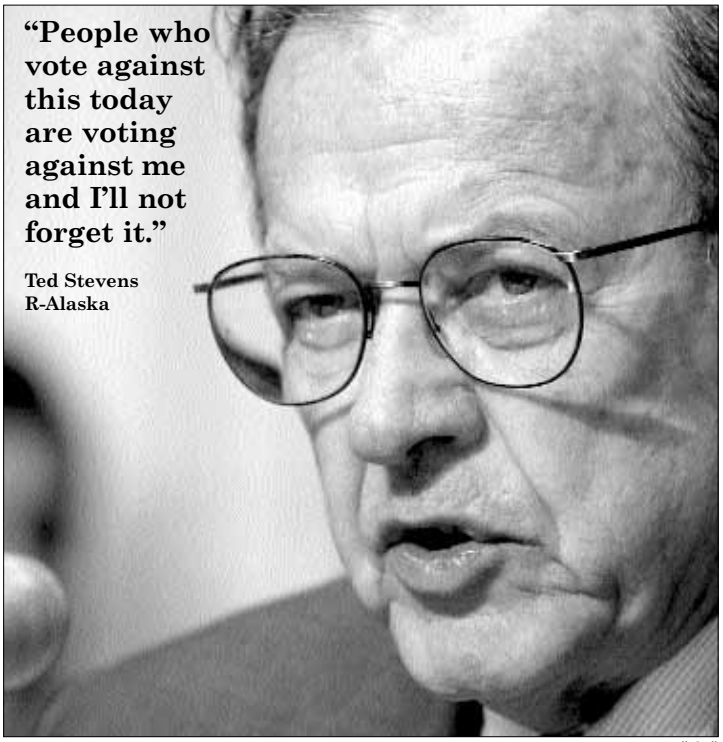
"Opening ANWR could boost domestic U.S. oil production by 14 percent," said Marlo Lewis, senior fellow at the Competitive Enterprise Institute (CEI). "That means tens of thousands of new jobs and tens of billions of dollars of additional GDP."

The issue remained alive in the House, where the Resources Committee passed energy legislation that included ANWR resource recovery. Proponents of the legislation held out hope that differences between the House and Senate could be resolved in favor of resource recovery when the two entities hammer out a compromise in committee.

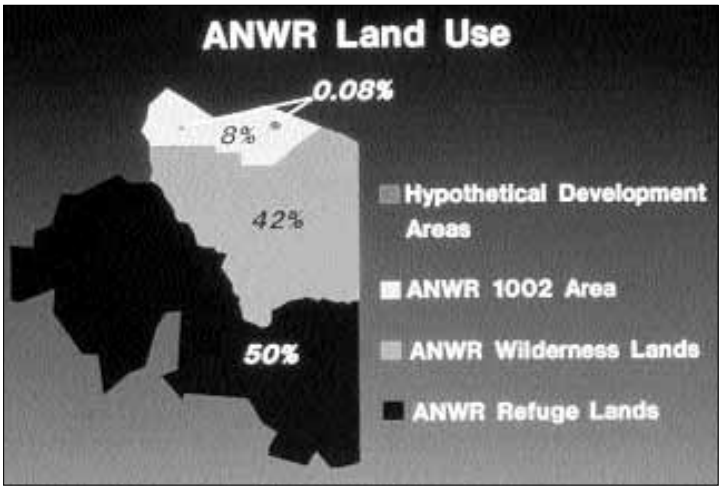
Other Provisions Take Shape

The House Energy and Commerce Committee approved legislation that would require refiners to include in gasoline at least 5 billion gallons of ethanol per year by 2015—double what is currently required. The legislation also:

- streamlines federal approval of hydroelectric dams;
- rescinds a law restricting mergers among power companies;
- gives the Federal Energy Regulatory Commission the power to confiscate private land for power line construction;
- authorizes a natural gas pipeline from Alaska to the lower 48 states;
- implements President Bush's hydrogen fuel cell program; and
- increases the U.S. emergency oil reserve by more than 40 percent.



Roll Call



anwr.org

In other energy legislation, the House Ways and Means Committee passed a bill creating $18.7 billion in tax incentives primarily for alternative fuels and conservation programs. Included in the bill is an extension of tax credits for wind power, new tax credits for landfill energy production, and conditional credits for natural gas production. The legislation is similar to Senate legislation providing $16 billion in energy tax incentives.

Key Issues Remain Unresolved

Some key energy issues have not yet been decided. Chief among them are new restrictions on carbon-based fuels contemplated as a way to address suspected global warming. The Senate Energy and Natural Resources Committee drafted legislation that would direct the Department of Energy to award companies transferable credits for voluntary reductions in carbon dioxide (CO_2) emissions.

Such a scheme would "lead inexorably to Kyoto-style energy rationing," warned CEI's Lewis. "Transferable credits will mobilize lobbying for energy rationing. Credits attain full market value only under a mandatory emissions reduction target or 'cap.' In effect, credits are Kyoto stock that bears dividends if, but only if, Kyoto or kindred regulation is adopted. Every credit holder will have an incentive to lobby for Kyoto or its domestic equivalent."

The result of CO_2 rationing would be higher energy prices, exacerbating problems in the country's sluggish economy as businesses and consumers would be required to switch to more expensive alternative energy sources.

Kyoto or its equivalent "is a gigantic energy rationing scheme—the regulatory equivalent of regressive, growth-chilling energy taxes," Lewis warned. "Rising energy prices caused or contributed to every recession of the past 25 years."

James M. Taylor is managing editor of Environment & Climate News.

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OPEN LETTER

Senate Should Oppose Energy Rationing

TO:
Senator Pete Domenici
CHAIRMAN
Committee on Energy and Natural Resources

APRIL 4, 2003

Dear Chairman Domenici:

The undersigned organizations write to share our views on the climate title in the draft comprehensive energy legislation prepared by your committee's staff.

The draft bill in our view is better in almost every respect than Senator Daschle's bill passed by the Senate last year. Unlike that misguided legislation, your committee's draft contains provisions to allow greater access to domestic energy resources and to create the conditions necessary for private enterprise to rebuild and enlarge America's inadequate energy infrastructure.

Nearly as importantly, the draft does not contain the chief provisions in the Daschle bill that would limit energy supplies and raise prices; most especially, it does not contain a Renewable Portfolio Standard for electricity production.

Because we share your commitment to policies that will promote continuing abundant supplies of affordable energy to American consumers and producers, we were surprised to find that your committee's draft contains a climate change title. We believe this title is ill-considered and, if enacted in anything like its present form, its effects will in the long run overwhelm the many positive elements in the bill. It would in our view create the institutional and legal framework and the political incentives necessary eventually to force Kyoto-style energy rationing on the American people.

Even more disturbingly to us, it would set us on this path without engaging in a full national debate over its enormous consequences. Instead, including this climate title in comprehensive energy legislation seems to assume the debate is over, even though that debate has never occurred.

It seems to us that before we settle on the main provisions of this climate title, we would first have to agree that global warming alarmism is scientifically warranted, that there are benefits as well as costs to these policies, and that it is inevitable we are soon going to be living in a carbon-constrained world. We question each of those assumptions.

We specifically call your attention to three main provisions in the climate title:

1) Requiring a national strategy to "stabilize and over time reduce net U.S. emissions of greenhouse gases" plus annual reports.
Directing the executive to produce a national strategy concedes the global warming debate and puts the U.S. on a dead-end path to future energy rationing. As the discredited National Assessment demonstrates, annual reports will be used to promote alarmism and attack government for not doing enough. And if the strategy's objectives were actually implemented, the costs would be colossal and the benefits nil.

2) Reviving the Clinton-Gore administration's White House climate czar and bureaucracy.
Legislating a White House climate czar and office will institutionalize global warming as a problem, which means it will never go away, even after global warming alarmism has been discredited. Single-mission agencies usually are captured by their clients, become lobbyists for their issue, and cannot objectively evaluate the costs of their policies.

3) Setting up a program to award credits for early actions to reduce emissions.
Awarding credits for early actions to reduce greenhouse gas emissions will create a powerful big business cartel to lobby for mandatory caps on emissions. This is because early action credits will not have value until an emissions cap forces energy users to buy credits.

We would like to be able to tell you that we are going to be devoting our time and resources in the months ahead to educating the public on the many positive elements in your comprehensive energy legislation. Unfortunately, however, if the bill contains a climate title with these three provisions, we fear our time and resources will instead be diverted to exposing the shortcomings of that objectionable concoction.

Thank you for your attention to our concerns.

Fred Smith, President
Myron Ebell, Director of Global Warming Policy
Competitive Enterprise Institute

Paul M. Weyrich, National Chairman
Coalitions for America

Grover Norquist, President
Americans for Tax Reform

Malcolm Wallop, Chairman
Frontiers of Freedom

David A. Keene, Chairman
American Conservative Union

Paul Gessing, Director of Government Affairs
National Taxpayers Union

James L. Martin
60 Plus Association

James P. Backlin, Director of Legislative Affairs
Christian Coalition of America

Amy Ridenour, President
National Center for Public Policy Research

Darrell McKigney, President
Small Business Survival Committee

Richard Lessner, Executive Director
American Renewal

Tom DeWeese, President
American Policy Center

Chuck Muth, President
Citizen Outreach

Steven Milloy, President
Citizens for the Integrity of Science

Ronald Pearson, President
Council for America

Kevin L. Kearns, President
U. S. Business and Industry Council

Dennis Avery, Director
Center for Global Food Issues, Hudson Institute

Jim Boulet Jr., Executive Director
English First

Joan L. Hueter, President
American Council for Immigration Reform

C. Preston Noell, III, President
Tradition, Family, Property, Inc.

Benjamin C. Works, Executive Director
SIRIUS
(Strategic Issues Research Institute of the U.S.)

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IPCC Assumptions Erroneous, Exaggerated

from page 1

for a time made available on the publication's Web site, the IPCC "story lines" assume unrealistic economic growth over the coming century in developing nations and attribute to these nations too high a level of greenhouse gas emissions per unit of economic production. As a result, Castles reports, even the smallest temperature increase contemplated by the IPCC—1.4° C warming by 2100—is probably too high.

Wealth Gap Overstated

Castles documents several flaws in the IPCC's underlying data.

First, he notes the IPCC overstated the baseline income disparity between the world's wealthiest and poorest nations. This inflated disparity is important because the IPCC warming scenarios assume poor nations will achieve economic parity or surpass the economic output of wealthy nations by the end of the century. According to the IPCC, the more economic growth required by poor nations to catch and surpass wealthy nations, the more new economic output must be generated, and the more greenhouse gas emissions will be released into the atmosphere.

"For poorer nations as a whole to catch wealthier nations in economic output this century would require that average incomes on the entire continent of Asia increase over the next 100 years by a factor of 70 to 1 for the IPCC's least-warming scenario ..."

The IPCC, according to Castles, calculated the current income disparities between wealthy and poor countries by converting Gross Domestic Product estimates into a common currency of U.S. dollars using market exchange rates. This method of comparing relative wealth, he notes, has been thoroughly discredited by statistical experts.

Instead of relying on nominal exchange rates to compare relative wealth, notes Castles, the IPCC should have expressed national GDP in terms of purchasing power parity.

The IPCC's Technical Group on Climate Impact Assessment admits it used the common currency approach "in full recognition of the fact that the preferred measure of wealth and poverty is to adjust GDP using purchasing power parity (PPP) estimates—a practice initiated by the World Bank in 1996. ... PPP estimates more accurately capture the command over resources in poorer nations."

"As a result of the use of an invalid method of comparison," explains Castles, "the authors of the [IPCC] report had greatly overstated the scale of these differences at the beginning of the projection period. They had thereby been led to overstate the growth in average incomes in developing countries that would be required to achieve the much more even distribution in global income that is envisaged in most of the scenarios. Prospective levels of emissions in these countries had probably been overstated as a result."

By how much did the IPCC overestimate the likely economic growth of poorer nations over the next century? For poorer nations as a whole to catch wealthier nations in economic output this century would require that average incomes on the entire continent of Asia increase over the next 100 years by a factor of 70 to 1 for the IPCC's least-warming scenario, and 140 to 1 for its most-warming scenario.

Such dramatic economic growth by even a single country—let alone an entire continent—would be unprecedented, notes Castles. Examining growth rates in wealthier countries during their most dynamic periods of economic growth, Castles points out that "average real incomes in the United States increased by a factor of perhaps 5 to 1 in the nineteenth century, and average real incomes in Japan increased by a factor of almost 20 to 1 in the twentieth century."

GHG Intensity Overstated

A second flaw in the IPCC story lines, according to Castles, is an underlying assumption that the greenhouse gas intensity per unit of global economic growth will remain as high as it is today. He documents that greenhouse gas intensity has been declining for quite some time.

"In Britain, the first developed country, average carbon dioxide emissions exceeded 2.5 tonnes of carbon per head of the population in 1880, before the motor age began. Now Britain produces at least five times the volume of goods and services per head as in 1880, but *per capita* emissions of carbon dioxide have not increased at all." The carbon intensity per unit of economic production has fallen dramatically in Britain over the past 120 years.

Adds Castles, "No country in western Europe today emits the 3.2 tonnes of carbon per head that Britons emitted in 1913, and *per capita* emissions in the United States, Canada, Germany, France, the Netherlands, Belgium, and Sweden are now lower than the peak levels reached in the 1970s or earlier."

1990s Empirical Data

A third flaw in the IPCC story lines is a failure to calibrate twenty-first century projections with real-world data gathered during the last decade of the twentieth century.

Castles points out that the IPCC story lines emanate from a 1990 baseline. Although the story lines were not released until 2000, work on them began more than a decade earlier. As a result, by the time the story lines were released, fully 10 years of story line projections could be measured against what actually happened between 1990 and 2000.

A close correlation between the projections and the real-world data would tend to validate the story line projections, Castles explains. A significant disparity would tend to invalidate the story lines.

How did the projections fare? Predictably poorly, according to Castles. "The global level of CO2 emissions in 2000 was well below the standardized base for that year reported for all [40] story line scenarios," states Castles.

David Henderson of the Westminster Business School in London, whose observations were also posted on the *Economist*'s Web site, further observes there were substantial differences between actual GDP in the 1990s and what the IPCC story lines predicted for the decade. The story lines' "treatment of developments over the 1990s seems curiously detached from what actually happened. Actual developments in the 1990s, as distinct from model-generated data, appear not to figure in the [story lines]."

Given that the IPCC released its story lines in 2000, "consideration of the reasons why some model results diverged substantially from actual developments over the decade—in respect of energy consumption and CO2 emissions, as well as GDP—could well have been given in the Report," Henderson notes. Yet the disparities were never mentioned or explained.

Common-Sense Questions

The disparities between real-world observations and IPCC projections should come as no surprise, according to Castles. Even before the statistical flaws in the IPCC assumptions were discovered, common sense should have dictated taking the projections with a grain of salt. The projected warming depended on numerous implausible and striking assumptions about the twenty-first century economic growth of developing nations.

For example, under even the most conservative story lines, the IPCC assumes that by the year 2100, per-capita GDP in the U.S. will be surpassed by the per-capita GDP of such countries as Estonia, Latvia, Lithuania, North Korea, Malaysia, Singapore, Hong Kong, Libya, Algeria, Tunisia, and Argentina. The more extreme story lines assume that by the year 2100 U.S. per-capita GDP will fall behind even more disadvantaged nations than these.

"The more I learn about the processes and the outcome, the more uneasy I have become about the way that the scenarios have been used by the IPCC and are being used by the research community," summarized Castles. "The unprofessional use of statistics to make exaggerated statements about differences in income levels between regions and countries of the world places at risk the status of the IPCC as an objective and policy-neutral body."

James M. Taylor is managing editor of Environment & Climate News.

"In Britain, the first developed country, average carbon dioxide emissions exceeded 2.5 tonnes of carbon per head of the population in 1880, before the motor age began. Now Britain produces at least five times the volume of goods and services per head as in 1880, but *per capita* emissions of carbon dioxide have not increased at all."

MORE INFORMATION

Three documents by Ian Castles and David Henderson, including letters to Dr. Rajendra Pachauri, chairman of the Intergovernmental Panel on Climate Change, are available through *PolicyBot*. Point your Web browser to The Heartland Institute Web site at **http://www.heartland.org**, click on the *PolicyBot* button, and search for documents **#11865** (letters to Pachauri, 9pp.); **#11866** (presentation to the IPCC's Technical Group on Climate Impact Assessment, 6pp.); and **#11867** (further considerations, 7pp.).

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Business Groups Support Voluntary GHG Reductions

James M. Taylor

Several leading business organizations have shown their support for President George W. Bush's Voluntary Action Initiative on global warming by voluntarily agreeing to reduce greenhouse gas (GHG) emissions. The commitments were announced at a February 12 event attended by Energy Secretary Spencer Abraham, Environmental Protection Agency Administrator Christie Whitman, and Agriculture Secretary Ann Veneman.

American Petroleum Institute

The American Petroleum Institute pledged a 10 percent improvement in the efficiency of its member oil refineries by 2012 and introduced a new system for measuring and aggregating emissions across the oil and natural gas industry. It also declared support for a broad range of research efforts on climate change issues.

"The President has the right idea on climate change," said Red Cavaney, the CEO and president of API. "We are committed to using our new technologies to help him meet his goals for reducing greenhouse gas intensity."

Cavaney said making oil refineries more efficient would curb the industry's production of greenhouse gases like methane and carbon dioxide.

In addition, Cavaney said, the industry has already spent two years developing a consistent method for measuring and aggregating its GHG emissions in all its operations. Once the system is fully refined, API will issue annual reports on the GHG intensity of its members' operations, allowing a clear and accurate benchmark for measuring progress in addressing climate change, he said.

"Secretary Abraham praised the groups, observing their pledges demonstrate the private sector's willingness to 'bring forward their best efforts, best ideas, technologies, and industrial processes to reduce, avoid, and sequester greenhouse gas emissions.'"

petroleumworld

Alliance of Auto Manufacturers

The Alliance of Automobile Manufacturers pledged to support the development of new technologies and the deployment of cost-effective energy strategies in all sectors to improve energy efficiency and reduce GHG emissions.

"We agree with the President that it is critical to continue to sustain economic growth. Only through sustained economic growth will both the public and private sectors be capable of financing investment in new, clean energy technologies," stated an AAM press release. "We accept the President's challenge to reduce GHG intensity and improve the energy efficiency of our manufacturing facilities, and we will participate in DOE's Business Challenge program."

The AAM supports a single national voluntary reporting registry under the Department of Energy (DOE). Building on the reporting some members are already engaged in, the group pledged within one year all Alliance members will be reporting GHG emissions from their manufacturing facilities.

AAM member companies have committed to achieve at least a 10 percent reduction in GHG emissions from their U.S. automotive manufacturing facilities, based on U.S. vehicle production, by 2012 from a base year of 2002. Progress toward that goal can be measured by DOE, the group said, based on 1605(b) registry reporting by individual Alliance members of their emissions and avoidance, reduction, and sequestration activities.

AAM announced its members will continue to support government/industry partnerships that further the development of practical and affordable energy efficiency solutions.

"The constant evolution of technology and its introduction into the market will help us continue to produce ever cleaner, more fuel-efficient vehicles," said the AAM news release. "Industry's aggressive investment in pursuit of fuel cell vehicles, hydrogen vehicles, hybrid electric vehicles, clean diesels, and other advanced design vehicles exemplifies the commitment to move away from dependence on petroleum-based fuels."

The Alliance of Automobile Manufacturers is a trade association of 10 car and light truck manufacturers: BMW Group, DaimlerChrysler, Ford Motor Company, General Motors, Mazda, Mitsubishi Motors, Nissan, Porsche, Toyota, and Volkswagen. Together, the firms account for more than 90 percent of U.S. vehicle sales. They employ more than 620,000 workers at 250 facilities in 35 states.

Others Also on Board

Representatives from lumber and paper companies pledged at the February 12 event to reduce the carbon intensity of their operations by 12 percent. Key elements of the pledge included commitments to increase recycling rates and plant more trees to absorb carbon.

Electricity producers pledged to cut the carbon impact of their power plants by 3 to 5 percent, while the mining industry said it would reduce GHG emissions through a 10 percent improvement in the efficiency of operations.

Secretary Abraham praised the groups, observing their pledges demonstrate the private sector's willingness to "bring forward their best efforts, best ideas, technologies, and industrial processes to reduce, avoid, and sequester greenhouse gas emissions."

Whitman concurred, praising the voluntary initiatives as "a very real, very measurable, very important effort to meet the President's goal."

James M. Taylor is managing editor of Environment & Climate News.

Business Roundtable Launches Climate RESOLVE

The Business Roundtable (BRT) announced on February 12 a large-scale initiative to voluntarily reduce the greenhouse gas (GHG) emissions of its member companies. The initiative, Climate RESOLVE (Responsible Environmental Steps, Opportunities to Lead by Voluntary Efforts), marks a significant milestone in voluntary efforts to reduce GHG emissions.

"The Climate RESOLVE initiative is based on our strong belief that every company in every sector of the economy has a role to play in helping control greenhouse gas emissions," said E. Linn Draper, chairman of the BRT's Environment, Technology and the Economy Task Force and chairman, president, and CEO of American Electric Power.

"Under the Climate RESOLVE initiative," Draper promised, "the world will see a dynamic snapshot of the American economy, from manufacturing to energy to financial services, resolving to collectively address global climate change."

MORE INFORMATION

WWW contact Tita Thompson, BRT spokesperson, at 202/872-1260, or visit the BRT Web site at **http://www.brtable.org**.

The BRT, a membership organization representing roughly 150 of the country's largest companies, aims to improve public policy by making sure the private sector is heard. The group boasts as its distinguishing feature the active participation of corporate CEOs.

Leading through Voluntary Action

James L. Connaughton, chairman of the White House Council on Environmental Quality, welcomed the RESOLVE initiative.

"The BRT's members are continuing to lead the way in managing greenhouse gas emissions effectively through voluntary actions," Connaughton said. "Through their commitment to continuous innovation and the hard work of their managers and employees, The Business Roundtable and its members are leading by example, and their efforts should inspire other companies and other business groups to follow suit."

The BRT presented a two-day workshop February 25-26 in Washington, DC to help its members identify ways to better manage GHG emissions. The workshop offered member companies practical advice on reducing, offsetting, sequestering, and avoiding GHG emissions. Speakers included top officials from the Department of Energy and Environmental Protection Agency, environmentalist group spokespersons, and representatives from companies with first-hand experience in managing GHG emissions.

In addition to holding workshops to assist member companies, the BRT is providing one-on-one consulting support, an implementation workbook, and real-life examples of cost-effective greenhouse gas reduction strategies.

BRT Rejects Costly Mandates

"The Business Roundtable accepts the President's challenge to reduce the greenhouse gas emissions associated with economic productivity while still generating economic growth," said Draper. "With this initiative, The Business Roundtable is demonstrating that every corner of this economy is willing to work toward this far-reaching goal."

"The BRT believes that the development and deployment of breakthrough technologies will provide the most effective long-term response to concerns about global climate change," said John J. Castellani, president of The Business Roundtable. "In the meantime, BRT member CEOs will apply their best management thinking to make American companies among the most greenhouse-gas efficient in the world.

"Climate RESOLVE will prove that voluntary actions can deliver continued economic growth, minimize the risks of climate change, and foster innovation and investment in new technologies—without costly government mandates and rigid compliance timetables," added Castellani.

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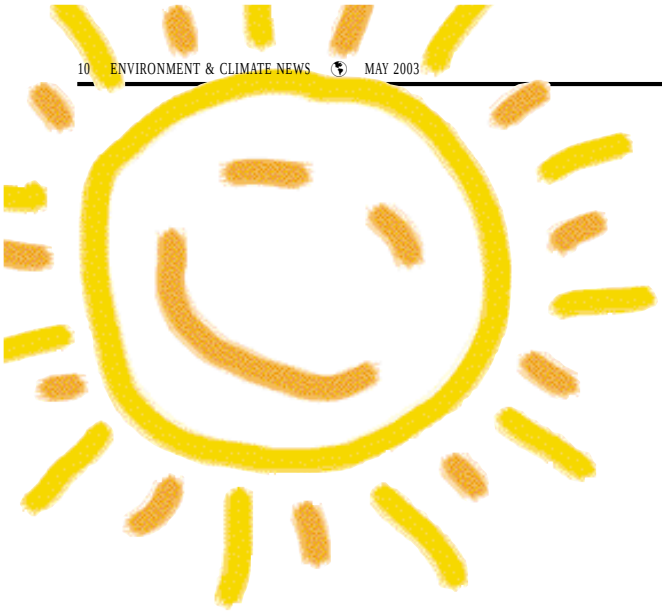
Part 1 in a three-part series



A Climate Change Primer: It's the Sun!

Jay Lehr and Richard S. Bennett

The sun supplies the energy to warm the Earth. The atmosphere, which is mostly transparent to the incoming sunlight, absorbs outgoing reflected or internal thermal radiation to keep the Earth warmer than it otherwise would be.

This absorbing property of the atmosphere is the "greenhouse effect." Gases in the atmosphere that absorb infrared radiation, thereby preventing some of the outgoing energy from returning to space, are called greenhouse gases.

Not all gases in the atmosphere absorb outgoing infrared radiation. Nitrogen and oxygen, which make up most of the Earth's atmosphere, have no blocking effect. The gases that absorb the infrared radiation and create the greenhouse effect are mainly water vapor, carbon dioxide, methane, and nitrous oxide.

Water vapor and water in clouds absorb nearly 90 percent of the infrared radiation, while carbon dioxide, methane, and the other minor greenhouse gases together absorb little more than 10 percent of the infrared radiation. (1) Therefore, most of the greenhouse effect is natural and caused by the different forms of water in the atmosphere.

Over the past 100 years, however, human activities—such as burning wood, coal, oil, and natural gas—have increased the concentration of greenhouse gases in the atmosphere by an amount equivalent to a 50 percent increase in carbon dioxide alone, according to the George Marshall Institute, which has supported global climate change research for many years. Many studies project the level of greenhouse gases in the atmosphere from human activities will be effectively equal to a doubling of CO2 in the next 100 years.

Temperature Observations

The average global temperature of the Earth has increased roughly 0.6˚ C over the past 120 years. Much of the observed temperature rise occurred before 1940, whereas most of the additional carbon dioxide (more than 80 percent) entered the atmosphere after 1940. Increased greenhouse gas levels cannot explain a temperature rise that occurred before the major increases in these gases occurred in the atmosphere.

Between 1940 and 1970, carbon dioxide built up rapidly in the atmosphere. According to computer projections of climate, the temperature of the Earth should also have risen rapidly. Instead, the temperature dropped.

The increase in greenhouse gas levels cannot explain the rapid rise in temperature before 1940, and it cannot explain the drop in temperature from 1940 to 1970. The climate record over the past 100 years provides no support for the idea that human activities, such as burning coal and oil for energy, caused the early 20th century global warming. Natural factors must have caused most of that warming.

When scientists analyzed the relationship between atmospheric CO2 levels and temperatures dating back 250,000 years—data obtained from infrared analysis of ice cores drilled in Greenland and the Antarctic—they found that sometimes the concentration of CO2 was high when the temperature was low, and sometimes the CO2 was low when the temperature was high. (2)

Moreover, a careful analysis showed that some of the atmospheric CO2 changes did not precede the temperature changes, as the greenhouse warming theory would predict. Instead, changes in atmospheric carbon dioxide *followed* the temperature changes. The atmospheric CO2 changes were not the cause of the temperature changes. The CO2 changes were likely driven by changes in vegetation, in response to natural variations in air- and sea-surface temperatures.

"The climate record over the past 100 years provides no support for the idea that human activities, such as burning coal and oil for energy, caused the early 20th century global warming."

During the past 10,000 years, the climate has remained relatively warm and stable, allowing humans to advance and prosper. But even during this generally warm period the temperature has fluctuated significantly.

The climate was warmer than it is today about 6,500 years ago, during the Holocene Climate Optimum. There is evidence that roughly 1,000 years ago, regions of the Earth again were substantially warmer than they are today, during a period called the Medieval Climate Optimum. By the fourteenth century, a cold period called the Little Ice Age had begun. The warming begun in the late nineteenth and early twentieth centuries seems to be a natural recovery from the Little Ice Age. (3)

Closer to the present, some researchers believe the 1980s were the hottest decade in 100 years, and that some years in the 1990s may have been hotter still. But in fact, more local U.S. temperature records were set in the 1930s than any other decade in the past century.

The more recent trend in surface temperature is warming of one- or two-tenths of a degree per decade or two. Such a change is well within the range of the climate's natural variations, whose mechanisms are not all understood.

It is safe to conclude that the natural variability of climate adds confusion to the effort to diagnose human-induced climate change. Apparent long-term trends can be artificially amplified or damped by the contaminating effects of undiagnosed natural variations. (4)

Methods of Measurement

Until satellite measurements began in 1979, there was no accurate method to measure temperatures from all parts of the globe. Readings were taken largely at convenient land-based points; ocean, rainforest, and mountain surface temperatures were simply not available. Weather stations were established for the most part in cities, and later at airports starting in the 1920s.

Unfortunately, as cities grew and expanded, and air conditioning and paved areas became more common, a "heat island" effect became evident. Urban temperature readings became higher, but the rural areas did not experience the same changes. This became especially pronounced in cities like Phoenix, where the heat exhausted from efforts to cool commercial, industrial, and residential buildings attained such levels that airport temperature readings reached historic highs.

Weather balloons provided the first real advance compared to surface stations in temperature measurement technology. But balloons were quite expensive; there was no way to control their height or direction of flight; and their instrumentation was often destroyed by storms or landings at sea.

The Tyros satellite launched in 1979 changed all that. For the first time, temperature readings could be taken around the globe. The readings could be adjusted for altitude, from a few feet above sea level over the oceans to the top of the Himalayas.

While critics have charged satellite readings are not accurate, they correspond so closely to weather balloon observations that this argument has been discarded. Then, critics complained the satellite readings did not correct for orbital decay; that was easily corrected.

Satellite temperature readings have been available for more than 21 years. Although too little data exist to establish any trend in climate change, the readings to date do show that the Earth's temperature changed during that time less than it did for the previous 100 years—a 0.04˚ C per-decade increase. There is general agreement among climatologists that the temperature of the Earth has increased by 0.6˚ C since 1880, and that most of this increase occurred before 1940.

In the May issue of Environment & Climate News: *How the Earth's movement around the sun affects climate.*

Jay Lehr is science director for The Heartland Institute. Richard Bennett is president of The Society of Environmental Truth in Corpus Christi, Texas.

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State AGs Sue EPA to Compel CO2 Regulation

Case rests on discredited report withdrawn by EPA

James M. Taylor

Seven Democratic state attorneys general announced on February 20 plans to sue the U.S. Environmental Protection Agency over the agency's failure to list and regulate carbon dioxide (CO2) as a pollutant.

Carbon dioxide is a naturally occurring gas necessary for life on Earth. Higher levels of CO2 in the atmosphere have been shown to improve the growth of flowers, vegetables, grasses, and trees. Scientists disagree as to whether CO2 emissions from industrial activities may be contributing to global warming.

The lawsuit is being coordinated by New York Attorney General Eliot Spitzer and is being joined by Connecticut, Maine, Massachusetts, New Jersey, Rhode Island, and Washington.

"At a time when the rest of the world is taking steps to reduce CO2 emissions," said Spitzer, "our nation is not even attempting to slow the rate of growth in its emissions. Individual states simply can't address the problem alone. Instead, it is imperative that the Bush administration establish a responsible and forward-looking national environmental policy."

The seven states—all but Washington being in the Northeast—stated an intent to file their suit within 60 days if they could not reach a settlement with EPA.

"There is a clear pattern with this administration," said Massachusetts Attorney General Tom Reilly. "Clean air is not a priority, global warming is not a priority, and they are not going to deal with us."

"This problem will not disappear through wishful thinking or artful spinning," concurred Connecticut Attorney General Richard Blumenthal. "By belittling greenhouse gas emissions as a danger to our health and environment, the Bush administration betrays its legal duty."

"The Attorney Generals' plan to sue the Bush administration for failing to act on carbon pollution from power plants is a welcome development in the fight to combat global warming," said Anne Reynolds of Environmental Advocates. "Global warming pollution is a serious problem that deserves serious attention, but the President is intent on burying his head in the sand."

"Why has the Bush administration been missing in action on the greatest environmental threat facing the nation"? asked David Bookbinder, a senior attorney with the Sierra Club. "Yet again, we find EPA fiddling while Rome burns."

No Authority to Regulate CO2

EPA declined comment on the suit, but found support for its position among experts on Clean Air Act issues.

"The threat by the attorneys general to sue EPA over CO2 emissions is a transparent power grab," said Marlo Lewis, senior fellow at the Competitive Enterprise Institute (CEI). "Carbon dioxide is the most ubiquitous byproduct of industrial civilization, and states have primary responsibility for enforcing the Clean Air Act. Thus, if EPA gives in to their demands, the AGs' prosecutorial domain will grow by orders of magnitude.

"The plain language, structure, and legislative history of the Act demonstrate that Congress never intended for EPA to regulate CO2," added Lewis. "The AGs furnish no textual, contextual, or historical evidence that Congress conferred such power on EPA. They simply duck the paramount question of congressional intent.

"The Clean Air Act provides distinct grants of authority to administer specific programs for specific purposes," stated Lewis. "Nowhere does it even hint at establishing a climate protection program. There is no subchapter, section, or even subsection on global climate change. The terms 'greenhouse gas' and 'greenhouse effect' do not occur anywhere in the Act."

"The threat by the attorneys general to sue EPA over CO2 emissions is a transparent power grab. Carbon dioxide is the most ubiquitous byproduct of industrial civilization, and states have primary responsibility for enforcing the Clean Air Act. Thus, if EPA gives in to their demands, the AGs' prosecutorial domain will grow by orders of magnitude."

Marlo Lewis
Competitive Enterprise Institute

Link to Global Warming?

Key to the AGs' lawsuit is an October 2000 EPA National Assessment stating CO2 is significantly contributing to global warming. That report was widely criticized by the scientific community.

"The attorneys general today again cited the disgraced National Assessment as support for their lawsuit," said Lewis. "The White House ... ultimately withdrew it, asserting it did 'not [reflect] policy positions or official statements of the U.S. government.'"

"The National Assessment was hurriedly slapped together in an incomplete and inaccurate form," said CEI counsel Christopher Horner. "The Bush administration disavowed the report."

EPA withdrew the Assessment when threatened with a lawsuit by CEI, which asserted the Assessment relied on faulty science and failed to abide by procedural requirements in compiling and disseminating the document. CEI agreed not to press the suit when EPA agreed to withdraw the report from the public record. The seven AGs, however, continue to rely on the document to support their case.

James M. Taylor is managing editor of Environment & Climate News.

ALEC Offers Guidebook on State Greenhouse Gas Regulation

Bob Adams

With the failure of the Kyoto Protocol at the federal level, several states are advancing so-called "son-of-Kyoto" legislation at the state level to eliminate affordable hydrocarbon-based fuels—such as coal, petroleum, and natural gas—from the nation's energy mix, according to a guidebook for state legislators prepared by the American Legislative Exchange Council (ALEC).

"Like Mark Twain, the reports of Kyoto's death in this country have been greatly exaggerated," said Sandy Liddy Bourne, director of ALEC's Environment, Natural Resources, and Agriculture Task Force.

According to the guidebook, *Energy, Environment, and Economics*, states introduced more than 60 bills in the 2001-2002 legislative session that explicitly seek to regulate carbon dioxide. Many other measures and resolutions were introduced attempting to list carbon dioxide as a pollutant.

Proposals for subsidizing alternative energy and renewable fuels with tax dollars are also multiplying in the states as back-door approaches to eliminate carbon-based fuels from the nation's energy mix.

MORE INFORMATION

Updated information on the status of measures introduced in the 2002-2003 legislative session is available on the ALEC Web site at **http://www.alec.org/viewpage.cfm?pgname=3.1120**.

Dangerous Trojan Horse

"Carbon dioxide is beneficial to plant and human life alike. The effort to regulate it as a greenhouse gas is a Trojan Horse attempt to level the playing field in the energy sector of the free market." said Bourne. "Losing fuel diversity can only be harmful to our economy and ultimately the environment itself.

"States should reject every form of Kyoto legislation for the very same reasons as our leaders in Washington, DC have rejected the Kyoto Protocol," said Bourne. "The Kyoto Protocol is just another highly regressive energy tax on America's working families, with no measurable benefit to environmental or human health."

ALEC's guidebook—offering state legislators policy tools and model bills—is designed to assist states in evaluating fuel supplies and energy production and the economic impact of carbon dioxide or multi-pollutant standards.

"Now more than ever it is essential for state legislators to have the tools they need to make science-based decisions about energy and the environment," said Bourne. "This guidebook will empower state legislators to take the lead in ensuring public policy initiatives are scientifically based."

Bob Adams is director of media relations for the American Legislative Exchange Council (ALEC). His email address is **boba@alec.org**.

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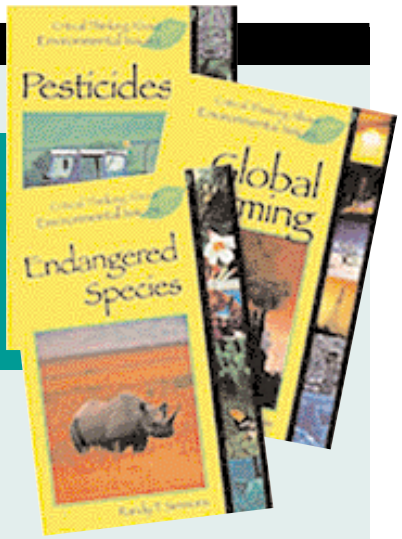
BOOK REVIEW

by Jay Lehr

New Book Series Encourages Critical Thinking in Youth

Critical Thinking About Environmental Issues

by the Center for Free Market Environmentalism (PERC) and Competitive Enterprise Institute
Greenhaven Press, 2002, cloth



Two free-market policy groups have collaborated to launch a new series of books for young people, under the title *Critical Thinking about Environmental Issues*.

Unlike many environmental books found in schools today, the first three works in the *Critical Thinking* series—focusing on global warming, endangered species, and pesticides—offer objective and balanced discussions in a very readable format. The series is published by Greenhaven Press, which specializes in books for elementary and high school students.

Emphasis on Facts, Not Rhetoric

Environmental education (EE) in the nation's elementary and secondary schools has all too often relied on publications from activist groups whose primary goal is to brainwash children into believing humans are abusing the planet. More often than not, EE publications make no effort to achieve balanced debate and develop critical thinking skills in America's youth.

The *Critical Thinking* series—co-produced by the Center for Free Market Environmentalism (PERC) and Competitive Enterprise Institute—has set about to right this wrong in an unusually calm and undefiant manner. Personally, I might have taken a more pointed approach in confronting the lies and distortions presented by environmental zealots. But to their credit, the *Critical Thinking* authors—Jane Shaw on global warming, Randy Simmons on endangered species, and Samantha Beres on pesticides—remained calm and relaxed in presenting all the evidence.

After nearly 50 years of service to the nation's environment, I have little patience with the misinformation spread about our excellent and still-improving environment. Happily, Shaw, Simmons, and Beres took a deep breath before sitting down to present in simple terminology all sides of these important issues.

The books are not flawless. In an effort to be fair, they lean toward political correctness, offering credence to pronouncements made by the anti-technology lobbies even when those statements have little scientific support. I presume the authors felt to do otherwise might close the minds of their potential young readers (or their teachers).

Additional books in this series, expected in late 2003, will focus on forest fires and energy.

Shaw on Global Warming

Jane Shaw's brief treatise on global warming is excellent because it gathers all the existing evidence for and against global warming and evaluates it fairly. Her logical analysis leads the reader to recognize that accommodating the Kyoto Protocol to reduce carbon dioxide emissions would be tantamount to shooting ourselves in the collective foot in order to clip our toenails.

Shaw traces the history of global warming concerns to pronouncements in 1988 by NASA's Dr. James E. Hansen—who, Shaw notes, has since altered his opinions. She traces our knowledge of carbon dioxide as a greenhouse gas to nineteenth century Swedish scientist Svante Arrhenius. She exposes the failings of reports issued by the United Nations' Intergovernmental Panel on Climate Change (IPCC) ... and quotes the wealth of real scientific evidence produced by senior climate scientists Sally Baliunas, Willie Soon, Patrick Michaels, Richard Lindzen, and Robert Balling, to name a few.

"Personally, I might have taken a more pointed approach in confronting the lies and distortions presented by environmental zealots. But to their credit, the *Critical Thinking* authors ... remained calm and relaxed in presenting all the evidence."

Any young person who reads Shaw's wonderfully referenced 83-page work will see global warming in a dramatically different light ... and face the future without fear.

Beres on Pesticides

Samantha Beres' 71-page discussion of pesticides is a bit uneven in its treatment of bad science. She is far too kind to Rachel Carson's book *Silent Spring*, which science has since proven to be loaded with unsubstantiated claims.

To support her case for reintroducing the use of DDT, Beres notes the number of malaria cases in Sri Lanka fell from 2.8 million in 1946 (pre-DDT) to just 17 in 1963 (before DDT's ban). At the same time, she appears unfamiliar with the work of J. Gordon Edwards and other researchers who proved DDT use did not lead to eggshell thinning or declining raptor populations.

Beres does correctly point out that the Audubon Society's Christmas Bird Counts indicated 26 different species of birds increased in numbers from 1941 to 1960, when DDT use was most prevalent. She explains that no serious evidence has ever linked DDT to cancer, and she accurately describes the famous Doll-Peto study indicating environmental factors generally have little to do with human cancer. She effectively describes the failure of rodent bio-assays to evaluate cancer in humans.

On the other hand, she lends too much credence to the technically terrible book, *Our Stolen Future*.

Beres concludes her book with a somewhat uneven description of genetically modified crops, probably erring on the side of alarmism with poorly understood data on the death of butterfly larvae from ingesting Bt corn pollen. Nevertheless, the book is worth its price for the picture and description of Norman Borlaug in the mid-1940s, when his development of new hybrid seeds laid the foundation for the green revolution in India—for which he won a Nobel Prize in 1971. Dr. Borlaug, now 90 years old, still works full time as a professor at Texas A&M University.

All in all, Beres' book is likely to be the best thing any high school student ever reads about pesticides.

Simmons on Endangered Species

Randy Simmons had the most daunting job: explaining the endangered species controversy to young people.

The Endangered Species Act (ESA) is a leading contender for the blue ribbon among horrible federal regulations. It tops any "worst of show" list for the way it has gutted personal freedom and laid waste to the property rights envisioned by our founding fathers.

The ESA is also a biological bastardization of centuries of understanding about what makes a true species. Today, if it serves the purpose of environmental zealots, a new species can virtually be declared based on color alone.

Simmons leads us very well to the conclusion that protection of many species is a valid idea ... and that the best way to do so may be through incentive programs rather than command-and-control regulations. He is very straightforward in criticizing Edward O. Wilson's unreasonable premise that man should attempt to save all species, despite the huge turnover in species that took place long before mankind's presence on Earth.

Simmons does a marvelous job of documenting the positive aspects of species protection where possible through ecotourism and captive breeding. He explains how Zimbabwe has successfully protected elephants by allowing some of them to be hunted. He documents how hunting rights controlled by villagers become a valuable asset, leading the villagers to protect their herds.

Simmons also describes the failure of command-and-control species protection efforts. He explains how restrictions placed on private property in order to protect species result in the loss of property values. He tells one of many similar stories about a woman who invested in land for her retirement, only to see its value drop from a million dollars to just $30,000 when her 15-acre parcel was deemed critical habitat for the golden-cheeked warbler. Simmons explains how such regulations give people a reason to discourage threatened species from taking up residence on their properties—just the opposite of what Congress intended the ESA to do.

Simmons describes the inevitability of species extinction, and man's impact on some of it, with greater clarity and accuracy than ever has been done before. It is in fact virtually impossible to fault this magnificent treatise in any way. Lucky will be the students exposed to this clear-headed discussion of a major national dilemma.

Jay Lehr is science director for The Heartland Institute.

MORE INFORMATION

Each of the three books in the *Critical Thinking About Environmental Issues* series is available from Greenhaven Press for $27.45 each. *Readers of Heartland Institute publications may order the books at a special discounted price of just $18 each; call the special fulfillment telephone number at 888/406-9532.*

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Scare Tactics

from page 1

new report by the New York-based American Council on Science and Health (ACSH).

The report, *Are Children More Vulnerable to Environmental Chemicals?* evaluates the science behind well-organized scare campaigns aimed at convincing parents that their children are at risk from exposure to synthetic chemicals.

Edited by Deland Juberg of the International Center for Toxicology and Medicine in Rochester, New York, the book-length report contains chapters from leading authors in toxicology, risk analysis, psychology, pediatrics, and public policy.

Do Children Face Special Risks?

Public concern about environmental health threats to children has intensified in recent years and has caused scientists, politicians, regulators, public health officials, and parents to take notice.

To shed light on the issue, the ACSH book asks one fundamental question: "Are young children, infants, and fetuses at an increased health risk from environmental chemicals, either because they have a heightened susceptibility to such compounds or because they experience higher relative exposures to environmental chemicals than do adults?"

The exhaustive evaluation of the data carried out by the book's authors concludes there is no scientific evidence to support the claim that children are necessarily more vulnerable to all environmental chemicals.

Chemical contamination of the environment in the U.S. has declined over the past 20 years, the report notes. This has led to reduced concentrations of chemicals in the air, water, and soil, and in aquatic and wildlife species. As a result, levels of certain persistent chemicals in humans also have decreased.

"Concern over child susceptibility is increasing at a time when ecosystem health is improving and human exposure to environmental chemicals is declining," the report notes, citing lower blood lead levels (in children and adults) and decreasing PCB (polychlorinated biphenyls) and DDT (dichlorodiphenyl trichloroethane) concentrations in human breast milk.

Chemicals Wrongly Blamed

Anti-chemical environmental groups and other "public interest" organizations have claimed childhood diseases and disorders—including asthma, intellectual deficits, and cancer—are associated with "environmental factors," a broad term. Environmental factors can include such things as diet and exercise as well as biological, physical, and chemical agents. All of these can influence childhood development, the report notes.

It is widely believed by the general public that the term "environmental factors" is synonymous with "environmental synthetic chemicals." Yet there is "limited empirical evidence for an etiological role for such chemicals in childhood diseases," the ACSH report concludes.

Over the years, concern for children's susceptibility to chemical hazards has focused primarily on a few specific chemicals or chemical groups such as lead, PCBs, and pesticides.

"For lead," the report points out, "there is a recognized physiological basis for children's increased susceptibility; however, for PCBs and pesticides, a similar basis is not known to exist. For the commonly cited potential hazards such as phthalates, there is no consistent evidence of human harm, including for children."

Manipulating the Truth

The report's findings stand in sharp contrast to the widely reported scare campaigns targeting children and chemicals that have become the stock and trade of such groups as Greenpeace, the Environmental Working Group, Natural Resources Defense Council, Health Care Without Harm, and Center for Children's Health and the Environment, to name just a few.

This is deeply troubling to Koop, who in the book's foreword writes the report "further exposes a pattern in which activists manipulate parents' very legitimate and appropriate concerns for their children's health, in an effort to promote legislation, litigation, and regulations not supported by science."

Typical of such manipulation is an ominous warning by Worldwatch Institute founder Lester Brown in January 2000: "Every human being harbors in his or her body about 500 synthetic chemicals that were non-existent before 1920."

Ron Bailey, science editor for *Reason* magazine and one of the contributors to the ACSH report, puts Brown's remarks in perspective. "Since average American life expectancy has increased by twenty years, from an average of 56 years in 1920 to 71 years in 1970 to 76.7 years today, one might more reasonably argue that those synthetic chemicals are prolonging our lives," he notes. "And in a sense they are, since they are part and parcel of the modern technological world in which risks of all kinds to our health and our lives are continually being reduced."

Bailey's point is echoed by Kimberly Thompson of the Harvard School of Public Health, who points out in the book that, unlike a child born 100 years ago, today's typical American child:

- can expect to live approximately 30 years longer on average;
- will never know the devastation of polio or live in an iron lung;
- won't get tuberculosis from milk, rickets from vitamin D deficiency, scurvy from vitamin C deficiency, or cretinism from lack of iodine in the diet; and
- will be given antibiotics, if needed, to treat infectious diseases.

Bonner R. Cohen is a senior fellow at the Lexington Institute in Arlington, Virginia.

MORE INFORMATION

WWW *Are Children More Vulnerable to Environmental Chemicals?*, published in December 2002 by the American Council on Science and Health, is available for $19.95 on the ACSH Web site at **http://www.acsh.org**. You can also order by phone at 212/362-7044.

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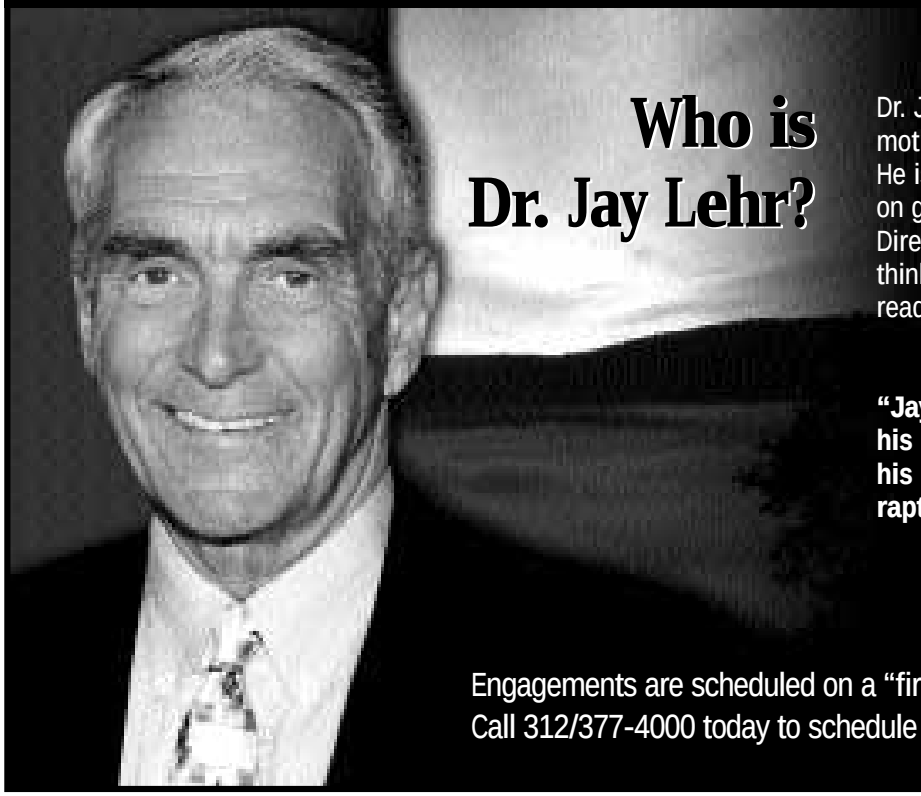

Who is Dr. Jay Lehr?

Dr. Jay Lehr is an internationally renowned motivational speaker, scientist, and author. He is considered the world's leading authority on groundwater hydrology. Dr. Lehr is Science Director for The Heartland Institute, a nonprofit think tank based in Chicago, Illinois, and he's ready to speak to *your* group.

"Jay Lehr is an outstanding communicator, his knowledge of his subject is superb and his delivery is very engaging. He held the rapt attention of our audience."

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Washington Governor Aims at "Sustainable" Environment Future

James M. Taylor and Diane Carol Bast

Washington Governor Gary Locke on February 6 called for government-directed "sustainable" development and praised a report on sustainability strategies issued by the Sustainable Washington Advisory Panel.

Locke created the Panel as part of a September 2002 executive order calling for sustainable environmental practices by all state agencies.

While Locke said he was "extremely impressed with the work of the sustainability panel," not all Evergreen State residents shared the Governor's enthusiasm for the Panel's work.

"The Governor's new plan is little more than a thinly veiled excuse for imposing further controls on the economic freedoms of Washington residents."

Eric Montague
Washington Policy Center

"Dangerous Arrogance"

"This unelected panel uses bad science and behavior modification as the nexus of its grand scheme," noted Lynn Harsh, executive director of the Olympia-based Evergreen Freedom Foundation. "They propose to define waste according to their own standards and establish a zero-tolerance policy for those of us who they say make it. Then they would restructure our state's tax policy to punish or reward us. This is dangerous arrogance!"

"The Governor's new plan is little more than a thinly veiled excuse for imposing further controls on the economic freedoms of Washington residents," agreed Eric Montague, policy analyst for the Seattle-based Washington Policy Center.

"By incorporating concepts like 'social justice' and 'health care equitability' into the state's environmental plan," Montague said, "the Governor reveals his intentions to use environmental regulation to achieve traditionally socialist ideals of income re-distribution and universal free health care.

"The true objectives of Governor Locke's sustainability report were scarcely in doubt," Montague noted. He points out the 25 public and private sector members of the Panel include representatives from local labor unions, environmental organizations, environmental regulatory agencies, and environmental consulting firms.

"Only a very small minority of the members could objectively be identified as representatives of the business community or the taxpaying citizens of Washington state ... yet they will ultimately be asked to foot the bill for the state's new dedication to its version of sustainability."

All Pain, No Gain

"Society has managed to 'sustain' development now for approximately 3,000 years without the guidance of state planners," said Jerry Taylor, director of natural resource studies at the Cato Institute. "The result is not only a society that is healthier and wealthier than any other in history, but a society with more natural resources at its disposal than ever before.

"The current Western system of free markets, property rights, and the rule of law is in fact the best hope for environmentally sustainable development," Taylor said.

James Glassman, resident fellow at the American Enterprise Institute, agreed. "Sweeping programs meant to preserve, conserve, freeze and even 'sustain' global assets often have the opposite effect," he warned. "Because they deter economic growth, such programs can actually make the Earth less clean and less healthy—and certainly less free of poverty."

"The Governor's sustainability plan will do little to improve the state's environment," predicted Montague. "But it will transfer considerable economic influence from the private sector to a new government bureaucracy, all at considerable additional cost to the state's already struggling taxpayers."

James M. Taylor is managing editor, and Diane Carol Bast is editor, of Environment & Climate News.

Experts React to

Getty

Washington Governor Gary Locke called for government-directed "sustainable" development and praised a report issued by the Sustainable Washington Advisory Panel.

The Sustainable Washington Advisory Panel developed several suggestions "for using human, environmental, and economic resources more wisely, including the use of energy-efficient products, recycled materials, and conservation programs."

The Panel's recommendations were widely criticized by the local news media as well as experts interviewed by *Environment & Climate News.*

Renewable Energy

Among the Panel's stated goals is a commitment to renewable energy sources. "By 2030," the report pledges, "we will have dramatically increased our energy efficiency and conservation, and we will meet virtually all of our energy needs through solar, wind, hydrogen, and other renewable sources."

Bruce Ramsey of the *Seattle Times* observed the city of Seattle recently attempted a similar course of action, meeting disastrous results. In April 2000, Ramsey reported, the city council unanimously approved a law instructing the city to procure all of its new power needs through renewable sources with no net greenhouse gas emissions. The city sold its interest in the Centralia coal plant and embarked on its new mission.

The result, reported Ramsey, was "an increase of $700 million in ratepayer debt and 60 percent in residential rates in two and a half years."

According to the Energy Information Administration, renewable energy sources—almost entirely hydroelectric power—already provide 80 percent of Washington State's electricity. Only Idaho, with 97 percent (also primarily hydroelectric), makes greater use of renewable energy. These states are a prime battleground in what has become a nationwide anti-hydroelectric campaign by interest groups that have targeted dams for removal due to their impact on fish and other wildlife.

Removal of dams would result in energy supply shortfalls and higher prices to the state's electricity consumers ... and make it difficult for Washington to sustain its current commitment to renewable energy, let alone increase it.

Recycling

The Panel also called for unprecedented levels of recycling, essentially a "zero tolerance" program for waste. "Scientists discovered early on that there is no concept of waste in nature," the Panel notes.

"Results from weather satellites—the only high-quality global data we have— show no appreciable warming of the atmosphere. It is therefore foolish to suggest economically damaging 'solutions,' like energy taxes or rationing, if there isn't even a problem."

S. Fred Singer, President
Science and Environmental Policy Project

"Eliminating waste in honest and economic ways will always benefit society," responded Jay Lehr, science director for The Heartland Institute. "But mandatory recycling programs waste human resources and do not benefit the environment.

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Sustainable Washington Report

"Recycling is good only for the human psyche. We get a warm and fuzzy feeling when we recycle, but the facts say we are wrong to feel that way." Lehr notes "we are not running out of any of the resources we recycle, and we are not running out of landfill space.

"I am a bleeding heart liberal," Lehr confesses, "when it comes to improving the human condition. Recycling does not do this."

A group of Swedish environmentalists cast further doubt on the Panel's recommendations with an updated report on recycling programs.

The team of environmentalists, led by Valfrid Paulsson, a former director of Sweden's environmental protection agency, and Soren Norrby, the former campaign manager for Keep Sweden Tidy, concluded that incineration of cardboard, plastics, and other household trash is not only less costly than recycling, but also better for the planet.

The team documented developments in clean burning technology that virtually eliminate pollution from trash incineration. Incineration can also generate significant amounts of electricity, they noted, reducing the need to burn fossil fuels. By contrast, any benefits that might accrue from recycling are outweighed by environmental costs, such as additional truck miles necessary to collect and transport recyclable goods.

"Protection of the environment can mean economic sacrifices, but to maintain the credibility of environmental politics, the environmental gains must be worth the sacrifice," reported the environmentalists.

Global Warming

The Panel also urged significant cuts in the state's greenhouse gas emissions. "The scientific debate on the basic facts of global warming is over," note the report's authors.

S. Fred Singer, president of the Science and Environmental Policy Project and an internationally recognized expert on energy, environment, and climate change issues, disagrees.

"Scientific debate is *growing*," emphasized Singer, "about whether there is any noticeable contribution to climate change from human activities. In fact, measurements from different sources disagree on whether there is any ongoing warming at all.

"Results from weather satellites—the only high-quality global data we have—show no appreciable warming of the atmosphere. It is therefore foolish to suggest economically damaging 'solutions,' like energy taxes or rationing, if there isn't even a problem."

MORE INFORMATION

WWW The full text of the Sustainable Washington Advisory Panel report is available on the Internet at **http://www.sustainableseattle.org/sustpanel/**.

"A state greenhouse gas program would cost far more than whatever benefits it is likely to produce," warns Joseph Bast, president of The Heartland Institute and coauthor of a recent scientific and economic analysis of state greenhouse gas programs. "Even if the state were successful in reaching its greenhouse gas emission reduction goals, such reductions would be too small to have a measurable impact on the global climate."

Bast and his coauthors estimated reducing greenhouse gases to 7 percent below 1990 levels—the emission reduction called for by the Kyoto Protocol, touted by the sustainability report's authors—could cost the state government of Washington $3.3 billion a year in direct expenses and lost revenues. The average household in Washington, they warn, could lose $5,326 a year in income.

Social Justice

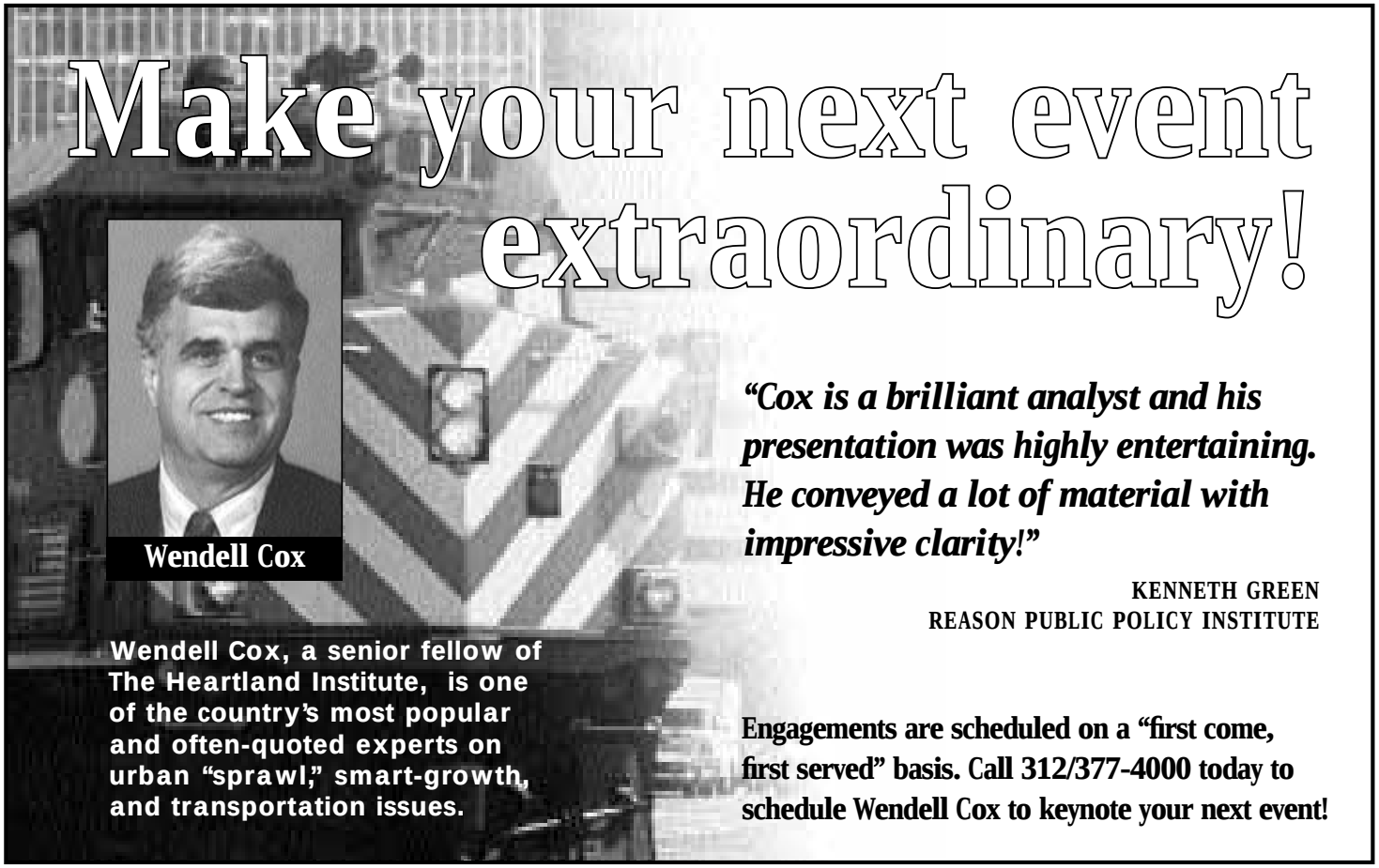
According to the Panel, "Applying the sustainability lens to the issues of social justice, criminal justice, equitable health care, and effective human relations will mean working within an interconnected framework focused on maximizing human resources and potential."

Eric Montague, policy analyst for the Seattle-based Washington Policy Center, called that rhetoric "recycled socialism."

"This sounds ominously similar to the fictional utopian, centrally planned communities of early socialist planners," Montague said. "The plan is largely devoid of any real economic research or even credible environmental science to back up its claims, and so it presents a seriously flawed view of a truly functional and prosperous community."

"Look at the data," advised Jerry Taylor, director of natural resources for the Cato Institute. "Life expectancy across the globe has shot up over the course of the last two centuries. People are better fed, better clothed, and better housed today than ever before. Inflation-adjusted prices for virtually all resources—renewable and nonrenewable—are going down, which points to growing abundance, not growing scarcity.

"The human footprint on the environment is indeed becoming lighter and softer."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CAFE Costs Lives

from page 1

light trucks by 2007.

In announcing its decision, the U.S. National Highway Traffic Safety Administration (NHTSA) argued the new Corporate Average Fuel Economy (CAFE) restrictions will provide $249 million in benefits and save 3.6 billion gallons of gasoline over a 25-year period. "The opportunity and technologies exist to make such adjustments technologically feasible and economically by [model year] 2007," stated NHTSA in its ruling.

"We're committed to it, but it is going to be a challenge," responded Eron Shosteck, a spokesman for the Alliance of Automobile Manufacturers (AAM).

Shosteck favored an alternative plan that would have used tax incentives to induce consumers to buy more fuel-efficient vehicles, rather than legislation coercing fuel economy gains. The AAM points out automakers currently offer more than 30 models that achieve at least 30 miles per gallon. Consumers, however, choose not to buy them.

Gas Consumption Unaffected

The NHTSA ruling and its rationale were met by criticism from experts, who pointed out similar restrictions already in place have increased rather than decreased fuel consumption ... and have cost thousands of Americans their lives.

"CAFE hasn't reduced gasoline consumption," observed John Merline, a columnist for *USA Today* and TechCentral Station. "People are buying more gasoline today than in 1975 (just before CAFE was first enacted), despite gains in auto efficiency."

Merline noted people drive their vehicles more when increased fuel economy makes the price per mile cheaper. "The number of miles driven by passenger cars and light trucks climbed 104 percent between 1975 and 2000, according to the Department of Transportation," noted Merline.

A 2001 study conducted by the National Research Council (NRC) reached the same conclusion. According to the NRC, CAFE "reduces the fuel cost per mile of driving, thereby encouraging faster growth in vehicle travel than would otherwise be the case."

"NHTSA neglects the adverse effects from the increased driving induced by the proposal," agreed Randall Lutter and Troy Kravitz in a February 2003 study released by the AEI-Brookings Joint Center for Regulatory Studies. "By lowering the costs of driving, NHTSA's proposal increases vehicle miles traveled, thereby boosting traffic accidents and congestion. The increase in the costs of accidents and congestion fully offsets and probably outweighs the social benefits resulting from greater fuel economy."

7,700 Deaths per Gallon

Even if CAFE could be expected to reduce oil and gas consumption, the price paid in human lives is astounding, according to Sam Kazman, general counsel for the Competitive Enterprise Institute. "While [CAFE] has had no clear impact on overall gasoline consumption, it has forced carmakers to restrict their sales of larger cars and to downsize other models. Since larger cars are more crashworthy than smaller cars in practically every collision mode, the result is more highway deaths."

"CAFE has cost thousands of lives," agreed Merline. "That same NRC report estimates that CAFE standards killed as many as 2,600 people in 1993 alone, thanks to the fact that the tighter fuel standards pushed automakers to downsize their fleets, forcing car buyers into smaller, less-safe cars than they would have otherwise purchased.

"In 1999," Merline continued, "*USA Today* reported that CAFE had killed a total of 46,000 since the law was passed. That's equal, the story noted, to 'roughly 7,700 deaths for every mile per gallon gained.'"

"The 2001 National Academy of Sciences study made it clear that CAFE kills," added Kazman. "This latest NHTSA proposal will make that regulation even deadlier. Regardless of whether the proposed increase is characterized as moderate or major, its effect on human safety will be lethal."

Oil Imports Unaffected

Anti-car environmental activists also criticized the new standards, but for different reasons. The new restrictions "will save our nation a minuscule six million barrels of oil a year—less than 3 percent of what we are importing from Iraq," said Phil Clapp, president of the National Environmental Trust. Clapp called for even stricter regulations on fuel economy.

David Nemtzow of the Alliance to Save Energy, an advocacy group comprised of government agencies, corporations, and trade associations interested in energy conservation, agreed. "Oil prices are high. We're in the Middle East fighting a war and they squander the best opportunity we've had in a decade to start doing something meaningful about oil imports."

"CAFE hasn't improved energy independence," countered Merline. "Fuel efficiency of cars on the road has climbed 52 percent since 1975, but that hasn't cut the nation's reliance on imported oil. Quite the opposite, in fact.

"Overall, the nation imports 51 percent of its oil," Merline pointed out, "up from 36 percent in 1975. The share of oil from OPEC countries is now 27 percent, up from 22 percent when Congress passed the CAFE law."

James M. Taylor is managing editor of Environment & Climate News.

MORE INFORMATION

The February 2003 joint report by the American Enterprise Institute and Brookings Institution, "Do Regulations Requiring Light Trucks To Be More Fuel Efficient Make Economic Sense?" is available through *PolicyBot*. Point your Web browser to **ttp://www.heartland.org**, click on the *PolicyBot* icon, and search for document **#11824**.

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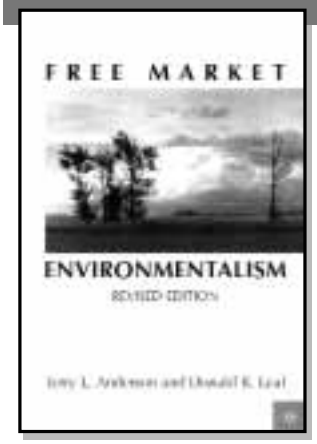

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Blood for Oil?

Jerry Taylor

Is the war with Iraq about oil? The anti-war movement seems to think so. I am not so sure.

If access to oil were of concern to Bush and Blair, one might have expected members of their administrations to hint as much. The Thatcher and Bush senior administrations, after all, were quite open about the role oil played in justifying the first go-around in Kuwait. At the time, polls in the United States revealed broad public support for that argument. Why the supposed reticence now?

A Litany of Flawed Arguments

It's difficult to know exactly what is being alleged when one is confronted by the slogan "No Blood for Oil!"

If the argument is that war is being waged primarily to ensure global access to Iraqi oil reserves, then it flounders upon misunderstanding. The only thing preventing Iraqi oil from flooding the world market is the United Nations' partial embargo on Iraqi exports. Surely it would have occurred to Bush and Blair that lifting the embargo would be about $100 billion cheaper (and less risky politically) than going to war.

If, instead, the argument is that war is being undertaken to rape Iraqi reserves, flood the market with oil, bust the OPEC cartel, and provide cheap energy to western consumers, then war would be a dagger pointed at the heart of "Big Oil." That's because low prices = low profits. Moreover, it would wipe out "Little Oil"—the small-time producers in Texas, Oklahoma, and the American Southwest that Bush has long considered his best political friends. It's impossible to square this story with the allegation that Bush is a puppet of the oil industry.

In fact, if oil company "fat cats" were calling the shots—as is often alleged by the protesters—Bush almost certainly would not have gone to war. He instead would have embraced the Franco-German-Russian plan of muscular but indefinite inspections, because keeping the world on the precipice of uncertainty regarding conflict would have been the best guarantee that oil prices (and thus oil profits) would remain high.

If the argument is that "Big Oil" is less interested in high prices than it is with outright ownership of the Iraqi reserves, then how to account for Secretary of State Colin Powell's repeated promise that the oil reserves will be transferred to the Iraqi government after a new leadership is established? Do the protestors think this high-profile public commitment is a bald-faced lie? Moreover, if ownership of the Iraqi oil reserves is the real goal of this war, I'm forced to wonder why the U.S. didn't seize the Kuwaiti fields more than 10 years ago.

If the argument is that this war is aimed at installing a regime more inclined to grant oil contracts to American and British firms than to French and Russian firms, then it invites a similar charge that France and Russia oppose war primarily to protect their cozy economic relationships with the existing Iraqi regime. Regardless, only one or two U.S. or U.K. firms in this scenario would "win" economically, while the rest would lose, because increased production would lower global oil prices and thus profits. Because no one knows who would win the post-war oil contract "lottery," it makes little sense for the oil industry (or the politicians who supposedly cater to them) to support war.

Moreover, the profit opportunities afforded by Iraqi oil development contracts are overstated. The post-war Iraqi regime would certainly want most of the profits from development to be captured by the new government, whose reconstruction needs will prove monumental. In fact, Powell has repeatedly hinted Iraqi oil revenues would be used for exactly that purpose. Big money in the oil industry goes to those who own their reserves or who secure favorable development contracts, not to those who are forced to surrender most of the rents through negotiation.

If the argument is that the United States is going to war to tame OPEC (accomplished, presumably, by ensuring a puppet regime holds the second largest reserves within the cartel), then it runs up against the fact that the United States has never had much complaint with OPEC. Occasional posturing notwithstanding, both have the same goal: stable prices between $20 and $28 a barrel. The cartel wants to keep prices in that range because it maximizes their profits. The United States wants to keep prices in that range because it ensures the continued existence of the oil industry in the United States (which would completely disappear absent OPEC production constraints) without doing too much damage to the American economy. The United States doesn't need a client state within the cartel, particularly when the cost of procuring such a state will reach into the hundreds of billions of dollars.

"The argument that the war with Iraq is fundamentally about oil doesn't add up."

The Importance of Oil

Oil is, however, relevant to the war in one respect: Whoever controls those reserves sits atop a large source of potential revenue which, in the hands of a rogue state, could bankroll a sizeable and dangerous military arsenal. That's why the United States and Great Britain care more about containing the ambitions of Saddam Hussein than, say, the ambitions of Robert Mugabe.

Still, if seizing oil fields from anti-western regimes is the name of the game, why aren't U.S. troops massing on the Venezuelan border and menacing Castro "Mini-Me" Hugo Chavez?

While everyone loves a nice, tidy political morality play, I doubt there is one to be found here. The argument that the war with Iraq is fundamentally about oil doesn't add up.

Jerry Taylor is director of natural resource studies at the Cato Institute.

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Hydrogen: Our Future Energy Source?

continued from 1

most encouraging, innovative technologies of our era," said Bush. "If you're tired of the same old endless struggles, let us promote hydrogen fuel cells as a way to advance into the 21st century. If we develop hydrogen power to its full potential, we can reduce our demand for oil by over 11 million barrels per day by 2040."

The prospect of pollution-free cars and trucks fueled by the most prevalent element in the universe has captured the imagination of scientists and policy analysts alike. But is the idea too good to be true?

For now, the answer is yes, according to *Detroit News* columnist and automobile industry commentator Tom Bray. "Backward reels the mind to 1993, when President Bill Clinton and Vice President Al Gore—also citing energy independence and a cleaner environment—announced almost exactly the same sum for research into electric-powered vehicles. After a decade of trying, both the auto companies and the government threw in the towel last year. Nobody seemed terribly interested in tiny cars that could barely get to the corner store and back before they had to be plugged into the wall.

"A hydrogen economy sounds like a fine thing—if it actually works as advertised," wrote Bray.

Automobile journalist Larry Weitzman of TechCentral Station noted some of the significant hurdles standing in the way.

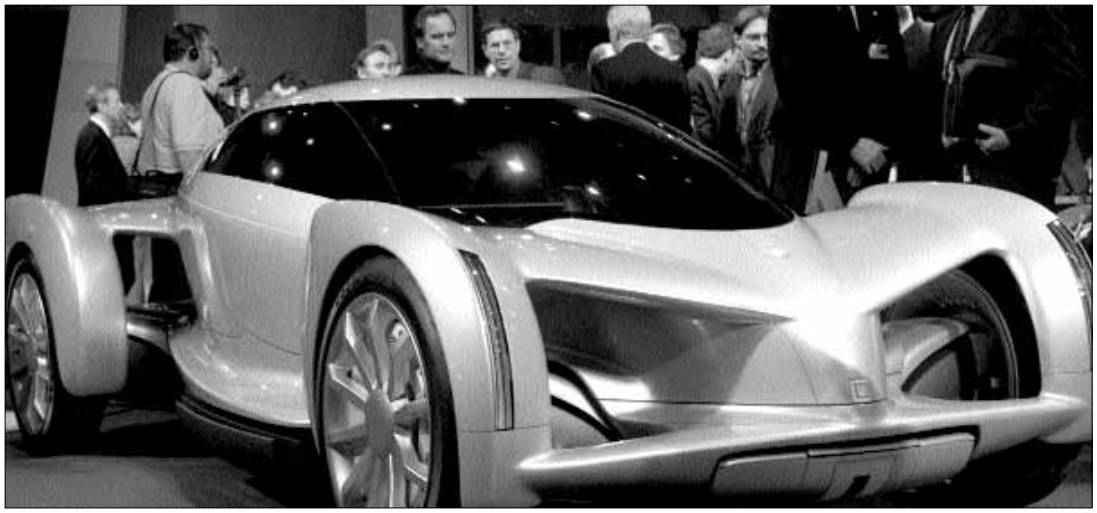
"The history of federal funding of energy-technology research is downright depressing. It is a landscape littered with dozens of multibillion-dollar failures."

Paul Georgia
Competitive Enterprise Institute

"First is the problem of manufacturing hydrogen," said Weitzman. "It is not abundant on Earth in its pure form, so it must be extracted from other compounds such as water. The process is called electrolysis, whereby electricity is used to separate the hydrogen from the oxygen. It is a proven process, but an expensive one. And it takes more energy to manufacture it than the resultant hydrogen will produce. In short, the process is an energy deficit.

"Second is the issue of where do you get the energy to power electrolysis? If it's from gas-fired electrical plants, there is no greenhouse benefit due to substantially reduced greenhouse gas emissions. Since most of the hydroelectric power dams have been built (most locations have already been utilized), the only other clean source of electricity available is nuclear—and you know the resistance there will be to building more nuclear power plants.

"Third, hydrogen is difficult to transport and handle. To create the density necessary for adequate energy, hydrogen must be cooled and liquefied to temperatures hundreds of degrees below zero. The cost of the infrastructure including the transportation system will be enormous—possibly prohibitive. Attendants at filling stations will have to be expert in handling hydrogen, and filling your car could be a hazardous event."



KRT

The Autonomy, General Motors' concept car, is buit on a "skateboard" chassis powered by a fuel cell that burns hydrogen.

"Step in the Right Direction"

Industry experts were not so quick to throw in the towel.

"We think this is a great step in the right direction," said General Motors spokesman Christopher Preuss. "The President showing leadership in hydrogen is critical to making the jump. We're very pleased."

Philip Chizek, marketing manager for Ford Motor Company's fuel cell vehicle company, is "very certain" the auto industry can solve the problems currently facing hydrogen fuel vehicles. "We've been working on fuel cells since the early '90s," said Chizek. "We've put a lot of money in the program and a lot of support."

Defenders of the President's proposal point out that the promised funding, spread out over five years, pales compared to ongoing investments by the government and private sector in clean coal and renewable energies such as solar and wind.

"This is not a major new commitment of taxpayer dollars," said Heartland Institute President Joseph Bast. "While libertarians might prefer government play no role in this arena, the reality is that there is considerable pressure on elected officials to 'do something' about energy security and climate change.

"Continued funding of public-private research efforts for new transportation technologies is a lot better than raising CAFE standards, raising motor fuels taxes, or imposing more strict environmental standards," according to Bast. "We should be glad the President chose the route he did."

Criticism from the Left

Jeremy Rifkin, who claimed in a 1991 book that the planet was on "the verge of ecocide," more recently wrote *The Hydrogen Economy*, a book calling for a rapid, government-subsidized transition from fossil fuels to hydrogen. According to Rifkin, the President's proposal represents a "paltry gesture" at replacing the petroleum industry.

"What is required," said Rifkin, "is a government-private partnership on a grand scale with a financial commitment at least equal to the monies currently being spent on homeland security and the preparation for war with Iraq."

Rifkin's radical views found some allies in Congress.

Senators Hillary Clinton (D-New York) and Byron Dorgan (D-North Dakota) introduced a bill tripling the President's proposed funding for hydrogen research. The $6.5 billion proposal is necessary, said Clinton and Dorgan, because the Bush bill does not go far enough to promote hydrogen.

"There's an old saying: When elephants fly, you don't criticize them for not being perfect," said Dorgan. "That saying applies to this administration, in my judgment."

Former Vermont Governor and Democratic Presidential contender Howard Dean criticized the Bush plan for failing to fund programs designed to cut oil consumption while hydrogen fuel is being researched. According to Dean, Saudi Arabian oil profits "build schools all over the Islamic world that teach small children to hate Americans, Christians, and Jews."

"The President's plan serves as a shield to protect automakers from improving fuel economy, which would reduce our oil dependence and cut pollution today," added Daniel Becker, energy director for the Sierra Club.

"The President's plan relies too heavily on sources like coal, nuclear power, and oil to produce hydrogen, which are the dirtiest ways possible to do the job," said Becker. "It would even spend $19.6 million to create hydrogen from gasoline."

But using renewable energy sources to extract hydrogen from oxygen would be even more expensive.

Environmental policy analyst Paul Georgia of the Competitive Enterprise Institute points out auto maker Honda has "constructed a bank of solar panels in Torrance, California for the purpose of generating 'clean' electricity to produce the hydrogen. But it takes a whole week to generate enough power to produce one tank of hydrogen at a cost of $40,000 per tank. Call me crazy, but that's a long way from affordable transportation."

Libertarian Critics

Pat Michaels, senior fellow at the Cato Institute, observed that if hydrogen has a promising future, private citizens and companies should be willing to invest in the technology with or without the government's assistance. After all, it was Henry Ford—not the federal government—who mastered production of the automobile.

"The federal government has a very bad track record in 'jump starting' automotive technologies," said Michaels, referencing the failed Clinton-Gore efforts of the early '90s. "When government gets in the science and technology business, it is largely inefficient compared to the private sector."

"There is considerable pressure on elected officials to 'do something' about energy security and climate change. We should be glad the President chose the route he did."

Joseph Bast
The Heartland Institute

Summarized CEI's Georgia, "The history of federal funding of energy-technology research is downright depressing. It is a landscape littered with dozens of multibillion-dollar failures. It is unlikely that this new endeavor will result in anything more than wasted money."

"Several private firms are already doing this, funded by individual investors," added Michaels. "Ballard Power Systems has been working with both Honda and Ford on hydrogen fuel-cell technology. Toyota has its own program. There is nothing preventing anyone from investing in these companies."

James M. Taylor is managing editor of Environment & Climate News.

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